

Direct Dial: (416) 862-4825
File: 5761

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November 7, 2012

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Board File Numbers: EB-2010-0377, EB-2010-0378, EB-2010-0379,
EB-2011-0043 and EB-2011-0004
Motion to Review Decision on Cost Awards issued October 18, 2012**

Willms & Shier Environmental Lawyers LLP ("Willms & Shier") is legal counsel to Northwatch.

Please find enclosed the Motion Record of Northwatch seeking to review the decision on cost awards issued on October 18, 2012.

Yours truly,



Matt Gardner

cc: Brennain Lloyd, Northwatch
All Distributors and Transmitters by email

EB-2010-0377
EB-2010-0378
EB-2010-0379
EB-2011-0004
EB-2011-0043

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act*, 1998,
S.O. 1998, c.15, (Schedule B);

AND IN THE MATTER OF cost awards in relation to a
Consultation Process to Develop a Renewed Regulatory
Framework.

MOTION RECORD OF NORTHWATCH

(Motion to Review Decision on Cost Awards, issued October 18, 2012)

November 7, 2012

**WILLMS & SHIER
ENVIRONMENTAL LAWYERS LLP**
4 King St. W., Suite 900
Toronto, ON M5H 1B6

Juli Abouchar/ Matthew Gardner
LSUC # 35343K/ 58576H

Tel: 416-862-4836/ -4825
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jabouchar@willmsshier.com
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Lawyers for Intervenor, Northwatch

TO: **ONTARIO ENERGY BOARD**

P.O. Box 2319
2300 Yonge Street
Toronto, Ontario, Canada
M4P 1E4

Fax: 416-440-7656

Kirsten Walli, Board Secretary
Tel.: 416-440-7617
Email: boardsec@oeb.gov.on.ca

AND TO: **ALL REGISTERED DISTRIBUTORS AND
TRANSMITTERS**

EB-2010-0377
EB-2010-0378
EB-2010-0379
EB-2011-0004
EB-2011-0043

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act*, 1998,
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EB-2010-0378
EB-2010-0379
EB-2011-0004
EB-2011-0043

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act*, 1998,
S.O. 1998, c.15, (Schedule B);

AND IN THE MATTER OF cost awards in relation to a
Consultation Process to Develop a Renewed Regulatory
Framework.

NOTICE OF MOTION **(MOTION TO REVIEW DECISION ON COST AWARDS)**

THE INTERVENOR, Northwatch, will make a motion to the Ontario Energy Board (Board) requesting a review of the Decision on Cost Awards issued October 18, 2012 (Costs Decision).

PROPOSED METHOD OF HEARING: Northwatch proposes that the motion be heard in writing in accordance with Rule 8.02 of the Board's *Rules of Practice and Procedure*.

THE MOTION IS FOR:

1 An Order:

- (a) awarding Northwatch 100% of costs and disbursements plus HST submitted for recovery for this proceeding for Northwatch's consultant, Ms. Brennain Lloyd, and
- (b) such further and other orders as Counsel may request and this Board deem just.

THE GROUNDS FOR THE MOTION ARE:

1 The Board erred in its Costs Decision by reducing Northwatch's cost awards by \$3,350.63.

2 The Board made an error of fact in its Costs Decision by stating that Northwatch claimed 10 hours for time spent by a Northwatch staff member on consultation activities. The factual evidence is contrary to this point.

A. BACKGROUND

3 On November 14, 2011, Willms & Shier Environmental Lawyers LLP ("Willms & Shier"), solicitors for the Intervenor, Northwatch, submitted a letter to the Ontario Energy Board ("Board") seeking intervenor status on behalf of Northwatch and indicating Northwatch's intention to seek costs from the applicants in relation to Northwatch's participation in this proceeding.

4 On December 2, 2011, the Board determined that Northwatch was eligible for an award of costs for each of the five initiatives in this proceeding.

5 On March 28 and 29, 2012, Brennain Lloyd, in her capacity as a consultant to Northwatch, travelled to and attended the Stakeholder Conference in Toronto.

6 On July 11, 2012, the Board issued a Notice of Hearing for Cost Awards requesting eligible participants to submit their cost claims by July 25, 2012.

7 On July 25, 2012, Willms & Shier, on behalf of Northwatch, submitted its Application for Cost Award. Northwatch claimed \$22,010.40 in legal/consultant fees plus disbursements in the amount of \$903.95 plus 13% HST in the amount of \$2,978.87 for a total of \$25,893.22.

8 On August 3, 2012, Susan Frank, on behalf of Hydro One Networks Inc., one of the applicants in this proceeding, filed a letter providing comments on Intervenor Cost Claims. Ms. Frank wrote:

“I write to advise that Hydro One Networks Inc. has received and reviewed the cost claims from....Northwatch....and will raise no issues with their claims.”

9 On October 18, 2012, the Board released its Decision and Order on Cost Awards (“Cost Decision”).

B. COST DECISION

10 In the Board’s Cost Decision,

“The Board finds that Northwatch claimed 10 hours for time spent by a Northwatch staff member on consultation activities. The Board’s Practice Direction does not allow costs for time spent by employees of a participant. In addition, Northwatch claimed mileage at \$0.41 (which is not appropriate rate of \$0.40 per the Ontario Government) and ‘double-counted’ HST. Accordingly, the Board is reducing Northwatch’s claimed costs by \$3350.63.”

Brennain Lloyd is not an employee of Northwatch

11 Northwatch is a public interest organization concerned with environmental protection and social development in northeastern Ontario. Founded in 1988 to provide a representative regional voice in environmental decision-making and to address regional concerns with respect to energy, waste, mining and forestry related activities and initiatives, Northwatch has a long-term and consistent interest in electricity planning in Ontario.

12 In the Board’s decision dated December 2, 2011, the Board wrote:

“Cost awards are available in relation to the costs associated with external legal and/or expert consultant fees (among others) incurred specifically for

the purposes of participating in activities that are eligible for an award of costs. As stated in the Practice Direction, cost awards are not available in relation to time spent by employees or officers of a participant.”

13 Ms. Lloyd works on a contractual basis for Northwatch. Ms. Lloyd is not a staff member or employee of Northwatch. Ms. Lloyd is a consultant for Northwatch. In this capacity, Ms. Lloyd manages and coordinates cases and matters for Northwatch. Ms. Lloyd manages interaction between steering committee, legal counsel and technical experts. Other contracts relate to specific deliverables, such as public information products or events. Contracts are for discrete work packages.

14 In the Board’s Decision dated December 2, 2011, the Board granted Northwatch eligibility to claim costs for its “*proposed experts in all the initiatives for which [Northwatch has] requested eligibility*”, namely each of the five initiatives. In so doing, the Board granted Northwatch’s technical expert, William Marcus, eligibility for a cost award.

15 Northwatch went outside of Canada (California) to retain Mr. Marcus, an expert with the technical expertise needed to assist Northwatch in its submissions to the Board. Ms. Lloyd assisted Northwatch by providing expertise from a regional (northeastern Ontario) perspective. Ms. Lloyd assisted Mr. Marcus to apply his work to the regional planning context in northeastern Ontario, which is Northwatch’s focus.

16 Ms. Lloyd acts, and has acted, as a consultant to many organizations other than Northwatch, as listed in her *curriculum vitae*. In particular, Ms. Lloyd has acted as a consultant to many organizations through her position as Senior Consultant with Terratoire Environmental Consultancy (“Terratoire”), including the Ontario Health Communities Coalition, the Union of Ontario Indians, Mining Watch Canada, Environment Canada, Mushkegowuk Environmental Research Centre, Serpent River First Nation, and Great Lakes United.

17 Ms. Lloyd has over 23 years experience as an expert in environment and natural resource management.

18 Ms. Lloyd's role as Northwatch's consultant is to provide expertise on a regional level to address regional concerns with respect to energy, waste, mining and forestry related activities and initiatives. Ms. Lloyd assists Northwatch with policy work relating to electricity planning, including electricity generation and transmission in northeastern Ontario, conservation and efficiency measures, and rates and rates structures.

19 As a consultant for Northwatch, Ms. Lloyd is eligible for a cost award, as neither the Board's decision dated December 2, 2011, nor section 6.05 of the Board's Practice Direction On Cost Awards preclude me from being eligible to receive a cost award.

20 Ms. Lloyd has received cost awards for her work for Northwatch in various Board proceedings in the past, including, most recently, in the East-West Tie Line proceeding (EB-2011-0140).

C. STATUTORY GROUNDS

21 A proper application of the Practice Direction on Cost Awards Section 6.05 to the correct facts as stated in this motion should result in a full award of costs to Northwatch.

22 Rules 1.01, 2.01, 4.01, 8, 42 and 44 of the Board's *Rules of Practice and Procedure*.

23 Such further and other grounds as Counsel may request and this Board deem just.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

1 Affidavit and Exhibits of Brennain Lloyd, sworn November 7, 2012.

2 Such further and other evidence as Counsel may request and this Board deem just.

Dated November 7, 2012

**WILLMS & SHIER
ENVIRONMENTAL LAWYERS LLP**

4 King St. W., Suite 900
Toronto, ON M5H 1B6

Juli Abouchar/ Matthew Gardner
LSUC # 35343K/ 58576H

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mgardner@willmsshier.com

Lawyers for Intervenor, Northwatch

TO: **ONTARIO ENERGY BOARD**

P.O. Box 2319
2300 Yonge Street
Toronto, Ontario, Canada
M4P 1E4

Fax: 416-440-7656

Kirsten Walli, Board Secretary
Tel.: 416-440-7617
Email: boardsec@oeb.gov.on.ca

AND TO: **ALL DISTRIBUTORS AND
TRANSMITTERS**

EB-2010-0377
EB-2010-0378
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EB-2011-0043

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, (Schedule B);

AND IN THE MATTER OF cost awards in relation to a Consultation Process to Develop a Renewed Regulatory Framework.

NOTICE OF MOTION

**WILLMS & SHIER
ENVIRONMENTAL LAWYERS LLP**

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Lawyers for Intervenor, Northwatch

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ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c.15, (Schedule B);

AND IN THE MATTER OF cost awards in relation to a
Consultation Process to Develop a Renewed Regulatory
Framework.

AFFIDAVIT OF BRENNAIN LLOYD (Sworn November 7, 2012)

I, Brennain Lloyd, of the City of North Bay, in the Province of Ontario, MAKE
OATH AND SAY:

1 I am a consultant for Northwatch, and as such, have personal knowledge
of the facts herein deposed to except where otherwise to be by way of
information and belief in which case I verily believe the same to be true.

A. BACKGROUND

2 On November 14, 2011, Willms & Shier Environmental Lawyers LLP
("Willms & Shier"), solicitors for the Intervenor, Northwatch, submitted a letter to
the Ontario Energy Board ("Board") seeking intervenor status on behalf of
Northwatch and indicating Northwatch's intention to seek costs from the
applicants in relation to Northwatch's participation in this proceeding. Attached
hereto and marked as Exhibit "A" to this my affidavit is a true copy of Willms &
Shier's letter dated November 14, 2011.

3 On December 2, 2011, the Board determined that Northwatch was eligible for an award of costs for each of the five initiatives in this proceeding. Attached hereto and marked as Exhibit "B" to this my affidavit is a true copy of the Board's Decision dated December 2, 2011.

4 On March 28 and 29, 2012, I travelled to and attended the Stakeholder Conference in Toronto, in my capacity as a consultant to Northwatch.

5 On July 11, 2012, the Board issued a Notice of Hearing for Cost Awards requesting eligible participants to submit their cost claims by July 25, 2012. Attached hereto and marked as Exhibit "C" to this my affidavit is a true copy of the Notice of Hearing for Cost Awards.

6 On July 25, 2012, Willms & Shier, on behalf of Northwatch, submitted its Application for Cost Award. Northwatch claimed \$22,010.40 in legal/consultant fees plus disbursements in the amount of \$903.95 plus 13% HST in the amount of \$2,978.87 for a total of \$25,893.22. Attached hereto and marked as Exhibit "D" to this my affidavit is a true copy of Northwatch's Application for Cost Award.

7 On August 3, 2012, Susan Frank, on behalf of Hydro One Networks Inc., one of the applicants in this proceeding, filed a letter providing comments on Intervenor Cost Claims. Ms. Frank wrote:

"I write to advise that Hydro One Networks Inc. has received and reviewed the cost claims from....Northwatch....and will raise no issues with their claims."

Attached hereto and marked as Exhibit "E" to this my affidavit is a true copy of Ms. Frank's letter dated August 3, 2012.

8 On October 18, 2012, the Board released its Decision and Order on Cost Awards ("Cost Decision"). Attached hereto and marked as Exhibit "F" to this my affidavit is a true copy of the Cost Decision.

B. COST DECISION

9 In the Board's Cost Decision,

"The Board finds that Northwatch claimed 10 hours for time spent by a Northwatch staff member on consultation activities. The Board's Practice Direction does not allow costs for time spent by employees of a participant. In addition, Northwatch claimed mileage at \$0.41 (which is not appropriate rate of \$0.40 per the Ontario Government) and 'double-counted' HST. Accordingly, the Board is reducing Northwatch's claimed costs by \$3350.63."

Brennain Lloyd is not an employee of Northwatch

10 Northwatch is a public interest organization concerned with environmental protection and social development in northeastern Ontario. Founded in 1988 to provide a representative regional voice in environmental decision-making and to address regional concerns with respect to energy, waste, mining and forestry related activities and initiatives, Northwatch has a long-term and consistent interest in electricity planning in Ontario (see Exhibit "A").

11 In the Board's decision dated December 2, 2011 (see Exhibit "B"), the Board wrote:

"Cost awards are available in relation to the costs associated with external legal and/or expert consultant fees (among others) incurred specifically for the purposes of participating in activities that are eligible for an award of costs. As stated in the Practice Direction, cost awards are not available in relation to time spent by employees or officers of a participant."

12 I work on a contractual basis for Northwatch. I am not a staff member or employee of Northwatch. I am a consultant for Northwatch. In this capacity, I manage and coordinate cases and matters for Northwatch. I manage interaction between steering committee, legal counsel and technical experts. Other

contracts relate to specific deliverables, such as public information products or events. Contracts are for discrete work packages.

13 In the Board's Decision dated December 2, 2011, the Board granted Northwatch eligibility to claim costs for its "*proposed experts in all the initiatives for which [Northwatch has] requested eligibility*", namely each of the five initiatives. In so doing, the Board granted Northwatch's technical expert, William Marcus, eligibility for a cost award.

14 Northwatch went outside of Canada (California) to retain Mr. Marcus, an expert with the technical expertise needed to assist Northwatch in its submissions to the Board. I assisted Northwatch by providing expertise from a regional (northeastern Ontario) perspective. I assisted Mr. Marcus to apply his work to the regional planning context in northeastern Ontario, which is Northwatch's focus.

15 I act, and have acted, as a consultant to many organizations other than Northwatch, as listed in my *curriculum vitae*. In particular, I have acted as a consultant to many organizations through my position as Senior Consultant with Terratoire Environmental Consultancy ("Terratoire"), including the Ontario Health Communities Coalition, the Union of Ontario Indians, Mining Watch Canada, Environment Canada, Mushkegowuk Environmental Research Centre, Serpent River First Nation, and Great Lakes United.

16 I have over 23 years experience as an expert in environment and natural resource management. Attached hereto and marked as Exhibits "G" and "H" to this my affidavit are true copies of my *curriculum vitae* and brochure for Terratoire, respectively.

17 My role as Northwatch's consultant is to provide expertise on a regional level to address regional concerns with respect to energy, waste, mining and forestry related activities and initiatives. I assist Northwatch with policy work relating to electricity planning, including electricity generation and transmission in


northeastern Ontario, conservation and efficiency measures, and rates and rates structures.

18 As a consultant for Northwatch, I am eligible for a cost award, as neither the Board's decision dated December 2, 2011 (see Exhibit "B"), nor section 6.05 of the Board's Practice Direction On Cost Awards preclude me from being eligible to receive a cost award.

19 I have received cost awards for my work for Northwatch in various Board proceedings in the past, including, most recently, in the East-West Tie Line proceeding (EB-2011-0140). Attached hereto and marked as Exhibits "I" and "J" to this my affidavit are true copies of Northwatch's Application for a Cost Award dated August 10, 2012, and the Board's decision and order for Phase 1 of the East-West Tie Line proceeding dated September 17, 2012, respectively.

20 I make this affidavit in support of a motion by Northwatch requesting a review of the Cost Decision.

SWORN BEFORE ME at the City of
North Bay, in the Province of Ontario,
on November 7, 2012.



A Commissioner for Takings Affidavits
(or as may be)

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)
)
)



Brennain Lloyd

This is Exhibit "A" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to read "Matt E. M.", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)

Direct Dial: (416) 862-4836
File: 9210

By Electronic Mail, Courier & RESS Filing

November 14, 2011

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street,
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Request for Intervenor Status, Eligibility for an Award of Costs and
Approval of Expert Witness
Renewed Regulatory Framework for Electricity
Board File Numbers: EB-2010-0377, EB-2010-0378, EB-2010-0379, EB-2011-
0043 and EB-2011-0004**

Willms & Shier Environmental Lawyers LLP (Willms & Shier) is legal counsel to Northwatch.

Northwatch is a public interest organization concerned with environmental protection and social development in northeastern Ontario. Founded in 1988 to provide a representative regional voice in environmental decision-making and to address regional concerns with respect to energy, waste, mining and forestry related activities and initiatives, Northwatch has a long-term and consistent interest in electricity planning in Ontario. In particular, Northwatch's interests are with respect to electricity generation and transmission in northeastern Ontario, conservation and efficiency measures, and rates and rate structures. Northwatch is a coalition of community and district based environmental, social justice and social development organizations.

The purpose of this letter is to identify Northwatch's interest in the renewed regulatory framework for electricity and to seek intervenor status, eligibility for any award of costs and approval for an expert witness.

Northwatch's contact is Ms. Brennain Lloyd, coordinator for Northwatch. Ms. Lloyd's contact information is as follows:



Courier Address:

Northwatch
c/o Ms. Brennain Lloyd
1450 Ski Club Road
North Bay, Ontario
P1B 8H2

Tel.: (705) 497-0373
Fax: (705) 476-7060
Email: northwatch@onlink.net
Website: www.northwatch.org

Mailing Address:

Northwatch
c/o Ms. Brennain Lloyd
Box 282
North Bay, Ontario
P1B 8H2

HOW NORTHWATCH IS OR MAY BE AFFECTED BY THE RENEWED REGULATORY FRAMEWORK FOR ELECTRICITY CONSULTATION PROCESS

Northwatch seeks to participate as an intervenor in the renewed regulatory framework for electricity consultation process. Northwatch's interest is in all of the initiatives in the proposed framework and wishes to intervene in all of them. However, Northwatch is particularly interested in the issues raised in this proceeding as they relate to regional planning of electricity infrastructure (EB-2011-0043).

The residents and regions of northeastern Ontario will or may be affected by the renewed regulatory framework for electricity consultation process in as far as it relates to:

- how the electricity framework may evolve in support of and/or counter to Northwatch's interests and objectives, and
- whether and/or how demand and supply of electricity will be balanced at a regional level.

DESCRIPTION OF NORTHWATCH

As indicated above, Northwatch was founded in 1988 as a regional coalition of individuals and organizations concerned with the protection of the environment and with social equity. Northwatch has a diverse membership which includes local and district-



based environmental groups, cottagers associations, naturalist clubs, church-based Aboriginal support groups, women's organizations, and local peace groups.

Individual members include those who self-identify as professionals, trappers, tourist outfitters, paddlers, parents, educators, conservationists, hunters and fishers, and environmentalists. The common thread throughout Northwatch's membership is a deep commitment to the region of northeastern Ontario and to the health, well-being and sustainability of the human and natural communities throughout the region.

Northwatch's membership base and area of interest is the land mass north of the French River, comprised of the districts of Nipissing, Sudbury, Algoma, Manitoulin, Cochrane and Timiskaming, and including the land area north of the road system, generally known as the Hudson's Bay lowlands.

Northwatch is well respected for its policy and research work, public education programs, and its holistic approach to environmental and social planning and decision-making. Through a membership that is geographically dispersed throughout the region and through more than twenty years of work that is regionally based, Northwatch has an extensive knowledge of northeastern Ontario and the diverse and interconnecting issues of energy, natural resource and environmental management.

Northwatch has a history of involvement in energy policy. Recently, Northwatch has actively participated as an intervenor and has been found eligible for an award of costs in the following OEB proceedings:

- The Integrated Power System Plan (IPSP)
- The Transmission Connection Cost Responsibility Review (EB-2008-0003)
- Proposed Amendments to the Distribution System Code (EB-2009-0077)
- The Regulatory Treatment of Infrastructure Investment for Ontario's Electricity Transmitters & Distribution (EB-2009-0152).

Northwatch has most recently engaged with the Ontario Power Authority (OPA) on the current IPSP and provided input to the OPA on the need for regional electricity planning in Ontario, particularly in the northeast region.

NATURE AND SCOPE OF NORTHWATCH'S INTENDED PARTICIPATION

The nature and scope of Northwatch's participation will be that of an intervenor and will include the following contributions to the review process:

- participation in the December 8, 2011 Information Session



- participation in the February, 2012 Stakeholder Conference
- written submissions on the issues identified at the Stakeholder Conference
- retaining of an expert, Mr. Bill Marcus, of JBS Energy Inc. to review one or more of the Board Staff discussion papers and the three expert papers and provide an opinion based on the review.

JBS Energy is a consulting firm specializing in regulatory economics for energy consumers and producers.

William B. Marcus is Principal Economist of JBS Energy, Inc. He has 33 years of experience in analyzing electric and gas utilities. He has reviewed issues related to utility resource planning, cost-effectiveness of energy projects, design of energy efficiency programs, performance-based ratemaking, revenue requirements, rate of return, and cost allocation and rate design for a variety of consumer, environmental, and independent power clients. He has testified as an expert witness before approximately 40 regulatory bodies and courts in North America. Mr. Marcus received his undergraduate degree in economics from Harvard College and an M.A in economics from the University of Toronto. Before becoming a founding member of JBS in 1984, he worked for the Kennedy School of Government at Harvard and for the California Energy Commission. He has previously preparing a detailed analysis of the Demand-Supply Plan of Ontario Hydro filed before the Environmental Assessment Board in 1992 and has appeared before the OEB on Gas Integrated Resource Planning and several cases involving Ontario Hydro and various gas utilities.

Mr Marcus' CV is attached. He can be contact at: JBS Energy Inc, 311 D Street West, Sacramento CA 95605. Tel (916) 372 0534. Email: bill@jbsenergy.com

GROUND'S FOR NORTHWATCH ELIGIBILITY FOR COSTS

Northwatch intends to seek costs from the applicant in relation to its participation in this review. The Ontario Energy Board's "Practice Direction on Cost Awards". Section 3 describes cost eligibility, and Section 4 describes the cost eligibility process.

3.03 A party in a Board process is eligible to apply for a cost award where the party:

(a) primarily represents the direct interests of consumers (e.g. ratepayers) in relation regulated services; (b) primarily represents a public interest relevant to the Board's mandate; or (c) is a person with an interest in land that is affected by the process.



Northwatch meets all three of the eligibility criteria, but as a public interest organization, its primary purpose - and its primary contribution to the stakeholder review process - is with respect to (b).

Northwatch's primary purpose is to represent the public interest with respect to environmental protection and resource management matters in northeastern Ontario. However, as a coalition of interests which includes those represented by social organizations, Northwatch also has an interest and a relevant perspective with respect to consumer concerns, many of which are unique in northeastern Ontario, relative to a provincial or more urban context (ie. criteria a).

Northwatch represents the interests of the environment and of the residents of northeastern Ontario who identify and express environmental concerns; it is within the mandate of the Ontario Energy Board to consider such matters as the effect on the environment (ie. criteria b). Further, our members have an interest in the land that is or may be affected by the process (ie. criteria c). That interest may in some cases be a private interest, but in every case is also a public interest.

Northwatch will make a responsible, unique and beneficial contribution to the renewed regulatory framework for electricity proceeding.

As a not-for-profit organization, Northwatch's participation in this proceeding is dependent on any cost awards it receives.

CO-OPERATION WITH OTHER GROUPS

Northwatch understands the importance of avoiding duplication of effort and any unnecessary differences of opinion on issues of mutual concern to other intervenors. Northwatch will work with the other intervenors to avoid repetition. Northwatch understands that a responsible intervention will add value and is deserving of costs.

Northwatch communicates regularly with other stakeholder groups on electricity related matters. As a coalition with a diverse network of members and associates, Northwatch's experience and perspective is unique to northeastern Ontario, and as such would not be served by joining with other groups for this exercise. However, Northwatch will continue to communicate with other stakeholders and combine efforts where possible in order to bring efficiencies to the Ontario Energy Board's renewed regulatory framework for electricity proceeding.

Contacts for the distribution list are as follows:

- ♦ Brennain Lloyd, coordinator for Northwatch, e-mail: northwatch@onlink.net
- ♦ Juli Abouchar, Counsel, Willms & Shier Environmental Lawyers, e-mail: jabouchar@willmsshier.com



- ♦ Matt Gardner, Counsel, Willms & Shier Environmental Lawyers, e-mail: mgardner@willmsshier.com

Thank you for your consideration. We look forward to a positive response to this expression of interest and to participating in the renewed regulatory framework for electricity proceeding.

Yours truly,

Juli Abouchar

Partner, W+SEL

*Certified as a Specialist in Environmental Law
by the Law Society of Upper Canada*

cc: Brennain Lloyd, Northwatch
Document #: 474790

William B. Marcus

Principal Economist,
JBS Energy, Inc.

William B. Marcus has 32 years of experience in analyzing electric and gas utilities.

Mr. Marcus graduated from Harvard College with an A.B. magna cum laude in economics in 1974 and was elected to Phi Beta Kappa. In 1975, he received an M.A. in economics from the University of Toronto.

In July, 1984, Mr. Marcus became Principal Economist for JBS Energy, Inc. In this position, he is the company's lead economist for utility issues.

Mr. Marcus is the co-author of a book on electric restructuring prepared for the National Association of Regulatory Utility Commissioners. He wrote a major report on Performance Based Ratemaking for the Energy Foundation.

Mr. Marcus has prepared testimony and formal comments submitted to the Federal Energy Regulatory Commission, the National Energy Board of Canada, the Bonneville Power Administration, the U.S. Bureau of Indian Affairs, U.S. District Court in San Diego, Nevada County Municipal Court; committees of the Nevada, Ontario and California legislatures and the Los Angeles City Council; the California Energy Commission (CEC), the Sacramento Municipal Utility District (SMUD), the Transmission Agency of Northern California, the State of Nevada's Colorado River Commission, a hearing panel of the Alberta Beverage Container Management Board; two arbitration cases, environmental boards in Ontario, Manitoba, and Nova Scotia; and regulatory commissions in Alberta, Arizona, Arkansas, British Columbia, California, Colorado, Connecticut, District of Columbia, Hawaii, Iowa, Manitoba, Maryland, Massachusetts, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, Northwest Territories, Nova Scotia, Ohio, Oklahoma, Ontario, Oregon, South Carolina, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Yukon. He testified on issues including utility restructuring, stranded costs, Performance-Based Ratemaking, resource planning, load forecasts, need for powerplants and transmission lines, environmental effects of electricity production, evaluation of conservation potential and programs, utility affiliate transactions, mergers, utility revenue requirements, avoided cost, and electric and gas cost of service and rate design.

From 1975 to 1978, Mr. Marcus was a research analyst at the Kennedy School of Government, Harvard University. He prepared public policy case studies on environmental and transportation issues, benefit-cost analysis, and urban policy and finance for use in classes and publication in the Kennedy School Case Series.

From July, 1978 through April, 1982, Mr. Marcus was an economist at the CEC, first in the energy development division and later as a senior economist in the CEC's Executive Office. He prepared testimony on purchased power pricing and economic studies of transmission projects, renewable resources, and conservation programs, and managed interventions in utility rate cases.

From April, 1982, through June, 1984, he was principal economist at California Hydro Systems, Inc., an alternative energy consulting and development company. He prepared

financial analyses of projects, negotiated utility contracts, and provided consulting services on utility economics.

Mr. Marcus is currently the Chair of the Manufactured Home Fair Practices Commission for the City of Woodland, California. This Commission regulates space rents in the City's mobile home parks. He has served on several other local government advisory committees, including a 1991-92 SMUD Rate Advisory Committee, which recommended cost allocation and rate design changes to the SMUD Board.

PUBLICATIONS

W. Marcus and C. Mitchell, "Critical Thinking on California IOU Energy Efficiency Performance Incentives from a Consumer Advocate's Perspective," Proceedings of 2006 ACEEE Summer Study on Energy Efficiency in Buildings, Panel 5, August 18, 2006.

W. Marcus, "Is There Life for Wind Power After Restructuring?" Proceedings of the Canadian Wind Energy Association 1996 Conference.

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CPUC App. 86-09-029. SoCal Gas' Low Income Conservation Programs. November, 1986. For Cal-Neva and TELACU.

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CPUC App. 86-07-041. SCE's Low Income Conservation Programs. November, 1986. For Cal-Neva.

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CPUC Case 84-10-37. Special Facilities Charges of PG&E. November, 1985. (case settled) For IEP.

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BPA. 1979 Rate Case. Constructive Alternatives to BPA's Proposed Rate Increase. November 1978. (principal author with S. Smith and R. Weisenmiller) For CEC Staff. (formal comment)

This is Exhibit **"B"** referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to be "M. F. J.", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)



EB-2010-0377
EB-2010-0378
EB-2010-0379
EB-2011-0004
EB-2011-0043

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF cost award eligibility for
interested parties in a coordinated consultation process
for the development of a renewed regulatory framework
for electricity distributors and transmitters.

BEFORE Paula Conboy
Presiding Member

Karen Taylor
Member

DECISION ON COST ELIGIBILITY

On November 8, 2011, the Board issued a letter announcing further details about its coordinated consultation process to develop a renewed regulatory framework for electricity distributors and transmitters ("RRFE"). The consultation encompasses five inter-related policy initiatives which support RRFE development:

- Distribution Network Investment Planning (EB-2010-0377);
- Regulatory Framework for Regional Planning for Electricity Infrastructure (EB-2011-0043);

- Establishment, Implementation and Promotion of a Smart Grid in Ontario (EB-2011-0004);
- Approaches to Mitigation for Electricity Transmitters and Distributors (EB-2010-0378); and
- Defining and Measuring the Performance of Electricity Transmitters and Distributors (EB-2010-0379).

In earlier communications, the Board had indicated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* in relation to their participation in one or more of the above-noted initiatives. The costs to be awarded will be recovered from licensed rate-regulated electricity distributors and/or licensed rate-regulated electricity transmitters, as applicable depending on the initiative. As discussed below, the Board has already issued a number of decisions pertaining to cost award eligibility in respect of the above-noted initiatives.

The Board's November 8, 2011 letter made provision for the filing of additional requests for cost eligibility. It also made provision for eligible participants to seek eligibility to claim the costs of an expert to produce a separate expert report for consideration by the Board. The deadline for the filing of these new requests was November 14, 2011.

Electricity distributors and transmitters were given until November 21, 2011 to file any objections that they might have in relation to the new cost eligibility requests. The Board did not receive any objections from distributors or transmitters.

Eligibility of Participants

The Board, in various decisions on cost eligibility as noted below, has previously determined the cost award eligibility status of certain participants in respect of each of the five initiatives that comprise this coordinated consultation. Table 1 below reflects the Board's earlier decisions, as well as the requests for cost eligibility received further to the Board's November 8, 2011 letter as follows:

- i. the symbol “✓” denotes that the participant has already been determined by the Board to be eligible in respect of a particular initiative;
- ii. the symbol “✗” denotes that the participant has already been determined by the Board to be ineligible in respect of a particular initiative;
- iii. a blank space indicates that no request for cost eligibility has been received from the participant in respect of a particular initiative; and
- iv. participants that have filed a request for cost eligibility further to the Board’s November 8, 2011 letter are identified using bold-faced type. The “**R**” denotes that the request has been made, and an “**E_x**” denotes that the participant is seeking eligibility to claim the costs of an expert.

This Decision on Cost Eligibility pertains specifically to the requests referred to in (iv) above.

Table 1: Cost Eligibility by Initiative and Participant

Participant		EB-2010-0377 ¹	EB-2010-0378 ²	EB-2010-0379 ³	EB-2011-0043 ⁴	EB-2011-0004 ⁵
1	Agrienergy Producers' Association of Ontario (APAO)		R	R	R	
2	Association of Major Power Consumers in Ontario (AMPCO)	✓	✓	✓	✓	✓
3	Association of Power Producers of Ontario (APPrO)	✓		✓	✓	
4	Building Owners and Managers Association of the Greater Toronto Area (BOMA)	R	R	R	R	✓
5	Canadian Energy Efficiency Alliance (CEEA)	x	x	x		
6	Canadian Federation of Independent Business (CFIB)	✓ / E _x	✓	✓	R / E _x	R / E _x
7	Canadian Manufacturers & Exporters (CME)	✓	✓	✓	✓	R
8	City of Thunder Bay (Thunder Bay)				x	
9	Common Voice Northwest (CVNW)	R		R	R	R
10	Consumers Council of Canada (CCC)	✓	✓	✓	✓	
11	Council of Canadians (CoC)	✓	✓	✓		
12	Electrical Contractors Association of Ontario (ECAO)	✓	x	✓		
13	Electricity Distributors Association (EDA)⁶	?	?	E _x	?	?
14	Energy Probe Research Foundation (EPRF)	✓	✓	✓	✓	
15	Federation of Rental-housing Providers of Ontario (FRPO)	✓	✓	✓		
16	Kinectrics					x
17	London Property Management Association (LPMA)	✓	✓	✓	✓	✓
18	Low-Income Energy Network (LIEN)	✓	✓	✓		
19	National Chief's Office (NCO)	✓	✓	✓	✓	
20	Nishnawbe Aski Nation (NAN)				✓	
21	Northwatch	R / E _x	R / E _x	R / E _x	R / E _x	R / E _x
22	Northwestern Ontario Associated Chambers of Commerce (NOACC)				✓	R
23	Northwestern Ontario Municipal Association (NOMA)				x	
24	Ontario Sustainable Energy Association (OSEA)	✓	✓	✓	✓	✓
25	Ontario Waterpower Association (OWA)		R	R	R	
26	Pollution Probe	R	R	R	✓	R
27	REGEN Energy					x
28	School Energy Coalition (SEC)	✓	✓	✓	R	
29	Town of Atikokan (Atikokan)				x	
30	Vulnerable Energy Consumers Coalition (VECC)	✓	✓	✓	✓	R

¹ February 1, 2011 Decision on Cost Eligibility and May 16, 2011 Supplemental Decision on Cost Eligibility (EB-2010-0377, EB-2010-0378, EB-2010-0379).

² ibid.

³ ibid.

⁴ May 4, 2011 Decision on Cost Eligibility (EB-2011-0043).

⁵ April 4, 2011 Decision on Cost Eligibility and April 8, 2011 Supplemental Decision on Cost Eligibility (EB-2011-0004).

⁶ While it is not clear whether the EDA is seeking eligibility for one or all of the initiatives comprising this coordinated consultation, the Board's decision applies equally to each initiative.

Based on the criteria set out in section 3 of the Board's *Practice Direction on Cost Awards* (the "*Practice Direction*"), the Board has determined that the following participants are eligible for an award of costs in respect of their participation in all of the initiatives requested by each, in some cases subject to the qualifications noted below:

- Building Owners and Managers Association of the Greater Toronto Area (BOMA)
- Canadian Federation of Independent Business (CFIB)
- Canadian Manufacturers & Exporters (CME)
- Northwatch
- Northwestern Ontario Associated Chambers of Commerce (NOACC)
- Pollution Probe
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

The Board has also determined that Northwatch and CFIB are eligible to claim costs for their proposed experts in all the initiatives for which they have requested eligibility, as listed in the table above.

The Board's determination on NOACC's eligibility in respect of the smart grid initiative (EB-2011-0004) is subject to the same limitations as those imposed by the Board's June 27, 2011 Decision on Motions to Review regarding cost eligibility for the Regional Planning initiative (EB-2011-0043); namely:

NOACC's cost award eligibility and any costs awarded to them will be limited to participation that is focussed on the interests of small commercial or business consumers in their capacity as ratepayers (for example, in relation to cost responsibility for electricity infrastructure), and not in relation to the broader business interests of this class of consumers in terms of matters such as regional economic development more generally.⁷

⁷ June 27, 2011 Decision on Motions to Review (EB-2011-0043).

The Board takes this opportunity to extend this same limitation to CFIB in relation to its participation in all initiatives for which CFIB has requested eligibility. For greater clarity, the CFIB's cost award eligibility and any costs awarded to them will be limited to participation that is focussed on the interests of the small business community in their capacity as ratepayers, and not in relation to the broader business interests of this class of consumers in terms of matters such as regional economic development more generally.

Common Voice Northwest (CVNW) is a not-for-profit organization whose members represent business (from NOACC), organized labour, post-secondary education facilities, school boards, multicultural associations, townships and cities. In assessing the cost eligibility of an organization such as CVNW, the Board has previously stated that it will consider whether the organization's members would themselves be eligible for an award of costs rather than considering the association as a distinct entity separate and apart from its members.⁸ The Board notes that CVNW's membership consists of, among other entities, municipalities^{9,10} and organized labour. The Board has generally found these entities to be ineligible for an award of costs. The Board finds that CVNW is not eligible for an award of costs under the *Practice Direction* by the virtue of its membership. The Board also notes that NOACC, a member of CVNW, has been found to be eligible for an award of costs in its own right in respect of two of the initiatives for which CNVW is seeking eligibility, and that educational facilities are also already represented in four of the five initiatives that comprise this coordinated

⁸ See the Decision on Issues and Cost Eligibility issued on March 22, 2011 in the Toronto Hydro CDM proceeding (EB-2011-0011). Specifically, the Board stated as follows: "To the extent that an entity's membership is comprised largely of organizations that would themselves be ineligible for cost awards, so too should the entity be considered ineligible absent special circumstances."

⁹ June 27, 2011 Decision on Motions to Review (EB-2011-0043). The Board stated: "Where a municipality is the effective owner of an electricity distributor, the Board likens that municipality to the electricity distributor for cost award purposes, resulting in ineligibility for cost awards absent special circumstances."

¹⁰ August 29, 2011 Decision on Motion to Review (EB-2011-0256). The Board made a number of findings: (i) that the Municipality has an enforceable revenue stream through taxation and fees, penalties and grants, that is intended to finance all of its activities, including the participation as an intervenor in the instant proceeding; (2) that the Municipality is accountable to its constituents for whatever point of view it chooses to advance in the course of the proceeding and that the linkage between funding and accountability is an important consideration in determining whether a Municipality should be granted edibility for costs; and (3) allowing Municipal cost recovery from ratepayers would amount to a kind of double-recovery... and compromises the accountability of the Municipality to its taxpayers.

consultation by SEC. Further, the Board does not believe that special circumstances exist such as to warrant extending cost award eligibility to CVNW.

The Electricity Distributors Association (EDA) is an association whose members comprise most, if not all, electricity distributors in the province; “commercial members” that include commercial service providers, and “associate members” that include gas utilities, generators and retailers. It is not clear whether the EDA is seeking: (a) cost award eligibility for all of the initiatives comprising this coordinated consultation, together with eligibility to claim the costs of an expert for one of those initiatives (Defining and Measuring Performance (EB-2010-0379)), or (b) cost award eligibility (including for its expert) only in relation to the initiative on Defining and Measuring Performance.

The EDA’s request for cost eligibility includes the following statement:

The EDA is eligible for a cost award pursuant to section 3 of the Board’s Practice Direction on Cost Awards. In particular, the EDA represents an important public interest relevant to this proceeding, namely, the promotion of a reliable and efficient distribution system to serve Ontario ratepayers.

The EDA is not ineligible for costs as it is neither an applicant in these proceedings, nor a distributor or a group of distributors. It is a distinct organization which presents a unique and independent perspective on matters affecting electricity distribution. It does not represent the interests of a particular distributor or group of distributors. Rather, it presents perspectives and information which ensures the best overall distribution system in the public interest of all Ontarians. It is an entity distinct from individual distributors or group of distributors who frequently intervene separately before the Board. The EDA will assist the Board in determining the public interest by ensuring that the Board understands the implications of potential decisions on the distribution system as a whole and on the public interest as it pertains to the distribution system.

The Board notes that the manner in which the EDA presents itself as set out above does not appear to be consistent with the manner in which it does so on its own website or has done so in proceedings before the Board, including when it notified the Board of its intention to participate in the RRFE consultation in January 2011:

*The Electricity Distributors Association is the voice of Ontario's local electricity distributors, the publicly and privately owned companies that safely and reliably deliver electricity to over four million Ontario homes, businesses and public institutions.*¹¹

*"[The EDA] is the voice of Ontario's local distribution companies (LDCs). The EDA represents the interests of over 80 publicly and privately owned LDCs in Ontario... The EDA engages its members to obtain their feedback in providing input to the Board's consultations."*¹²

*"(t)he Electricity Distributors Association (EDA) is the voice of Ontario's local distribution companies (Distributors). The EDA represents the interests of the over 80 publicly and privately owned Distributors in Ontario."*¹³

In assessing the cost eligibility of an association such as the EDA, the Board will consider whether the association's members would themselves be eligible for an award of costs rather than considering the association as a distinct entity separate and apart from its members. Electricity distributors and other entities regulated by the Board are ineligible for an award of costs under section 3.05 of the *Practice Direction*. It has been the Board's practice that commercial entities such as commercial service providers are generally ineligible for an award of costs. Commercial entities primarily represent their own commercial interests rather than "primarily representing" a public interest, even if they may be in the business of providing services that can be said to serve a public

¹¹ <http://www.eda-on.ca/eda/edaweb.nsf/0/8215DEDEF02AED6A85256D470067B0A3>

¹² Letter dated January 21, 2011 regarding participation in EB-2010-0377, EB-2010-0378 and EB-2010-0379.

¹³ For example, EB-2007-0722 and EB-2010-0215.

interest relevant to the Board's mandate.¹⁴ The Board finds that the Electricity Distributors Association is *prima facie* ineligible for an award of costs by virtue of its membership. The Board's finding in this regard applies whether the EDA is seeking eligibility for one or all of the initiatives comprising this coordinated consultation.

The EDA's request for cost eligibility notes that, if the Board considers the EDA ineligible under section 3.05 of the *Practice Direction*, the Board should nonetheless exercise its discretion and find that the EDA is eligible by virtue of special circumstances under section 3.07 of the *Practice Direction*. The EDA states that:

[T]he broad scope and implications of the issues being considered by the Board in this consultation process requires that the Board facilitate interventions by an organization such as the EDA which has the expertise and perspective to assist the Board in determining the public interest and making optimal decisions with respect to the distribution system and its ongoing regulation.

The EDA also noted that the Board has granted cost eligibility to the Association of Power Producers of Ontario ("APPRO") and the Electrical Contractors Association of Ontario ("ECAO") in respect of certain initiatives that comprise this coordinated consultation, and argued that the Board should extend the same treatment to the EDA. With respect to APPRO, the Board determined that organization to be eligible by virtue of the fact that its members are customers of electricity transmitters and distributors. With respect to the ECAO, the Board determined that, in the context of the distribution planning and performance measurement initiatives, the ECAO represents a public interest that is relevant to the Board's mandate because access to competitive services, as an alternative to utility-provided services, is an important component of ensuring efficient outcomes for ratepayers. The Board did, however, deny ECAO's request for cost eligibility in relation to the Mitigation initiative (EB-2010-0378). The same considerations do not apply to the EDA.

¹⁴ April 4, 2011 Decision on Cost Eligibility (EB-2011-0004).

While the Board is interested in the expert advice of Dr. Adonis Yatchew, the expert proposed by the EDA, the Board does not believe that special circumstances exist as to warrant extending cost award eligibility to the EDA to claim an award of costs in relation to the provision of that expert advice. The Board's finding in this regard applies regardless of whether the EDA is seeking eligibility for one or all of the initiatives comprising this coordinated consultation.

Late Cost Award Eligibility Requests

On November 28, 2011 the Board received a request for cost eligibility from the Ontario Waterpower Association (OWA) and on November 30, 2011 a similar request for cost eligibility was received from the Agrienergy Producers' Association of Ontario (APAO). Both cost eligibility requests were filed with the Board later than the November 14, 2011 date stipulated in the Board's letter of November 8, 2011.

As set out on the OWA's website, the OWA represents the common and collective interests of the waterpower industry, including waterpower generators and other commercial interests.

APAO states in its letter to the Board that it is a member-based organization of approximately 85 members and is the collective voice of Ontario's biogas industry, representing farmer biogas developers, technology suppliers, financial and learning institutions and other interested individuals and organizations. APAO indicates in its letter that given its financial limitations, participation in the Renewed Regulatory Framework for Electricity would be reliant upon successful eligibility for cost awards.

Generators, either as a group or individually, are usually ineligible for a cost award under section 3.05 of the *Practice Direction*. However, in respect of similar cost award eligibility requests from APPrO and OSEA, the Board has found pursuant to section 3.07 of the *Practice Direction* that special circumstances exist that would allow cost eligibility, as set out in Table 1. Specifically the Board has found that generators are

customers of electricity utilities and, in that sense, they can be likened to customers in the circumstances of the consultations for which cost eligibility has been granted.

The Board notes that there are or may be interrelationships between APPrO, OSEA, APAO and OWA. For example, the Board observed that APAO is a member of OSEA and that APPrO is a member of OWA. The Board also notes that while generators, either as a group or individually, can be likened to customers, their relationship with electricity utilities is very different from that of load customers, who generally have an ongoing responsibility to pay for the costs of the system, including the costs of this consultation broadly, through rates.

As such, **by December 9, 2011** the Board invites the OWA and APAO to explain why their respective interests as customers of electric utilities cannot be incorporated into or are distinct from the positions put forth by APPrO and/or OSEA in relationship to each initiative for which cost eligibility is sought. Further, should the Board determine that cost award eligibility for the requested initiatives is appropriate, OWA and APAO should also explain how duplication and overlap will be minimized.

Extension of Time to Claim Costs for an Expert

In its cost eligibility request, CME requested that the Board extend the deadline for participants to determine whether or not to retain and request eligibility to claim the costs of an expert. CME stated that it will be in a better position to determine if an expert should be retained after the Information Session scheduled for December 8 and 9, 2011 has concluded and participants have had further time to consider the staff Discussion Papers and related materials. Although no other participants requested an extension of time, some have indicated that they have not yet determined whether they will retain an expert.

The Board believes that CME's request is reasonable, given that the purpose of the Information Session is to allow stakeholders the opportunity to better understand the

consultation materials. The Board will therefore extend the deadline by which eligible participants may request eligibility to claim the costs of an expert to **December 16, 2011**. Participants should follow the filing instructions set out in the Board's November 8, 2011 letter in relation to such further eligibility requests.

All requests for cost eligibility in respect of the costs of an expert will be posted on the Board's website. Licensed electricity distributors and transmitters will be provided with an opportunity to object to any of these requests for cost award eligibility. If an electricity distributor or transmitter has any objections to any of the requests for cost eligibility, such objections must be filed with the Board by **December 30, 2011**. Any objections will be posted on the Board's website. The Board will then make a final determination on the cost eligibility of the requesting participants.

Cost Awards Generally

Based on the content of some of the requests for cost eligibility, the Board considers it desirable to confirm the following in relation to cost awards generally:

- i. The Board's expectation is that experts whose costs are funded through cost awards will, in addition to providing commentary on the staff discussion papers, prepare separate expert reports to assist the Board by providing objective and impartial expert advice on the issues in this coordinated consultation.
- ii. The Board cautions participants that cost awards are available only in respect of issues that are clearly within the scope of the initiative(s) in which they are participating, and not in respect of issues that, while perhaps related, are already addressed by existing Board policies (such as conservation and demand management).
- iii. Where similar interests are shared by participants that are eligible for cost awards, the Board expects that reasonable efforts will be made to combine participation or

to cooperate. As stated in the Practice Direction, the Board will consider any lack of cooperation when determining the amount of a cost award.

- iv. Cost awards are available in relation to the costs associated with external legal and/or expert consultant fees (among others) incurred specifically for the purposes of participating in activities that are eligible for an award of costs. As stated in the Practice Direction, cost awards are not available in relation to time spent by employees or officers of a participant.
- v. Except as may otherwise be expressly provided by the Board at the relevant time, the hourly limits for eligible activities apply to each participant that is eligible for an award of costs, and not to each individual that may be acting on behalf of an eligible participant.

ISSUED at Toronto, December 2, 2011

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

This is Exhibit "C" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to read "M. F. J.", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)



July 11, 2012

BY E-MAIL AND WEB POSTING

To: All Rate-regulated Licensed Electricity Distributors and Transmitters
Agrienergy Producers' Association of Ontario
Association of Major Power Consumers in Ontario
Association of Power Producers of Ontario
Building Owners and Managers Association of the Greater Toronto Area
Canadian District Energy Association
Canadian Federation of Independent Business
Canadian Manufacturers & Exporters
Canadian Solar Industries Association
Canadian Wind Energy Association
Consumers Council of Canada
Council of Canadians
Electrical Contractors Association of Ontario
Energy Probe Research Foundation
Federation of Rental-housing Providers of Ontario
London Property Management Association
Low-Income Energy Network
National Chief's Office
Nishnawbe Aski Nation
Northwatch
Northwestern Ontario Associated Chambers of Commerce
Ontario Sustainable Energy Association
Ontario Waterpower Association
Pollution Probe
Retail Council of Canada
School Energy Coalition
Vulnerable Energy Consumers Coalition

**Re: Notice of Hearing for Cost Awards
Coordinated Consultation Process to Develop a Renewed Regulatory
Framework for Electricity Distributors and Transmitters ("RRFE")
Board File Nos.: EB-2010-0377; EB-2010-0378; EB-2010-0379; EB-2011-
0004; EB-2011-0043**

Background

On December 17, 2010 the Board issued a [letter](#) initiating a consultation process to develop three key elements of a Renewed Regulatory Framework for Electricity:

- Distribution Network Investment Planning (EB-2010-0377);
- Approaches to Mitigation for Electricity Transmitters and Distributors (EB-2010-0378); and
- Defining and Measuring the Performance of Electricity Transmitters and Distributors (EB-2010-0379).

On November 8, 2011 the Board issued a [letter](#) announcing an expanded scope of the RRFE to include two related consultations that were already underway:

- Establishment, Implementation and Promotion of a Smart Grid in Ontario (EB-2011-0004); and
- Regulatory Framework for Regional Planning for Electricity Infrastructure (EB-2011-0043).

The Board has stated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998* ("the Act") in relation to their participation in each of the five initiatives comprising this consultation process, and that any costs awarded would be recovered from rate-regulated licensed electricity distributors and electricity transmitters.¹ In a number of letters² issued over the course of the RRFE consultation to date, the Board identified the activities eligible for cost awards as well as the maximum number of hours for which cost awards would be available for most of those eligible activities. By way of exception, the Board had not previously indicated the maximum number of hours in relation to participation in Working Group meetings within the context of the smart grid initiative (EB-2011-0004). The maximum number of hours that has now been established in that regard is 10 hours per meeting day, covering preparation for, attendance at and reporting on each meeting. For convenience, the eligible activities for the period ending May 31, 2012 and the maximum number of hours for each are listed in **Appendix A** to this Notice.

In a series of Decisions³ issued over the course of the RRFE consultation to date, the Board found various participants to be eligible for an award of costs in relation to some or all of the five initiatives. The table in **Appendix B** lists the participants that the Board has found to be eligible for an award of costs in relation to each RRFE initiative (collectively, the "eligible participants").

For convenience, the table in **Appendix C** combines information from Appendices A and B to identify the consultation activities for which each eligible participant is eligible to claim costs. The Board reminds eligible participants that they are eligible for an award of costs for their participation in consultation activities which took place subsequent to the date of filing of their request for cost eligibility.

¹ The class(es) of entity from which cost awards are recoverable, and how the cost awards are apportioned amongst and within the classes, varies depending on the initiative. Details are provided in **Appendix A** to this Notice.

² [December 17, 2010](#); [January 13, 2011](#); [April 1, 2011](#); [November 8, 2011](#); [February 22, 2012](#); [April 5, 2012](#)

³ [May 3, 2012](#); [April 10, 2012](#); [February 1, 2012](#); [December 8, 2011](#); [December 7, 2011](#); [December 2, 2011](#); [May 16, 2011](#); [May 4, 2011](#); [April 4, 2011](#); [April 8, 2011](#); [February 1, 2011](#)

This consultation process is an ongoing one. However, the Board considers it expedient to address the issue of cost awards for the period ending May 31, 2012 at this time. Cost awards in relation to eligible consultation activities that take place in the future will be addressed at the relevant time.

Notice of Hearing

The Board is initiating this hearing on its own motion in order to determine the cost awards that will be made in accordance with section 30 of the Act in relation to eligible RRFE consultation activities that occurred on or before May 31, 2012. The file numbers for this hearing are **EB-2010-0377, EB-2010-0378, EB-2010-0379, EB-2011-0004, and EB-2011-0043.**

The Board intends to proceed by way of written hearing unless a party can satisfy the Board that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the Board no later than **7 days** after the date of this Notice.

Assuming that the Board does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. Eligible participants shall submit their cost claims by **July 25, 2012**. The cost claim must be filed with the Board and one copy is to be served on each rate-regulated licensed electricity distributor and rate-regulated licensed electricity transmitter. The cost claims must be completed in accordance with section 10 of the Board's *Practice Direction on Cost Awards*. As contemplated in the *Practice Direction on Cost Awards*, the cost claim form has been customized for this consultation. Participants must use the customized form that is attached as Appendix D to this Notice.
2. Electricity distributors and electricity transmitters will have until **August 7, 2012** to object to any aspect of the costs claimed. The objection must be filed with the Board and one copy must be served on the eligible participant against whose claim the objection is being made.
3. An eligible participant whose cost claim was objected to will have until **August 14, 2012** to make a reply submission as to why its cost claim should be allowed. A copy of the reply submission must be filed with the Board and one copy is to be served on the objecting electricity distributor or electricity transmitter.
4. The Board will then issue its decision on cost awards. The Board's costs to May 31, 2012 may also be addressed in the cost awards decision.

Service of cost claims, objections and reply submissions on other parties may be effected by courier, registered mail, facsimile or e-mail.

Parties must file two paper copies and one electronic copy of their filings with the Board Secretary by **4:45 pm** on the required dates. The Board requests that parties make every effort to provide electronic copies of their filings in searchable / unrestricted Adobe Acrobat (PDF) format, and to submit their filings through the Board's web portal at www.errr.ontarioenergyboard.ca. A user ID is required to submit documents through the Board's web portal. If you do not have a user ID, please visit the "e-filings services" webpage on the Board's website at www.ontarioenergyboard.ca, and fill out a user ID password request. Additionally, interested parties are requested to follow the document naming conventions and document submission standards outlined in the document entitled "RESS Document Preparation – A Quick Guide" also found on the e-filing services webpage. If the Board's web portal is not available, electronic copies of filings may be filed by e-mail at boardsec@ontarioenergyboard.ca. Persons that do not have internet access should provide a CD or diskette containing their filing in PDF format.

All filings must quote file numbers **EB-2010-0377, EB-2010-0378, EB-2010-0379, EB-2011-0004, and EB-2011-0043** and include your name, address telephone number and, where available, your e-mail address and fax number.

All filings in this hearing (i.e., cost claims, objections, or replies), will form part of the public record. Copies of the filings will be available for inspection at the Board's office during normal business hours and the filings may be placed on the Board's website.

If the filing is from a private citizen (i.e., not a lawyer representing a client, not a consultant representing a client or organization, not an individual in an organization that represents the interests of consumers or other groups, and not an individual from a regulated entity), before making the filing available for viewing at the Board's offices or placing the filing on the Board's website, the Board will remove any personal (i.e., not business) contact information from the filing (i.e., the address, fax number, phone number, and e-mail address of the individual). However, the name of the individual and the content of the filing may be available for viewing at the Board's offices and will be placed on the Board's website.

If you do not file a letter objecting to a written hearing or do not participate in the hearing by filing written materials in accordance with this Notice, the Board may proceed without your participation and you will not be entitled to further notice in this proceeding.

Yours truly,

Original signed by

Kirsten Walli
Board Secretary

Attachments

Appendix A: Consolidated List of Consultation Activities for Which Cost Awards are Available and Maximum Number of Hours

As set out in the Board's December 17, 2010 letter, and clarified in the Board's November 8, 2011 letter, participants eligible for cost awards are required to provide a breakdown of their claims by EB number because costs awarded will be recovered as follows:

- For **integrated consultation activities** as identified in the table below, costs awarded will be recovered from all rate-regulated licensed electricity distributors (65% of the costs awarded) and all rate-regulated licensed transmitters (35% of the costs awarded).
- For **activities specific to initiative(s)** as identified in the table below, costs awarded will be recovered as follows:
 - EB-2010-0377, from all rate-regulated licensed electricity distributors; and
 - EB-2010-0378, EB-2010-0379, EB-2011-0004 and EB-2011-0043, from all rate-regulated licensed electricity distributors (50% of the costs awarded) and all rate-regulated licensed transmitters (50% of the costs awarded).

In all cases, costs awarded will be apportioned within each class based on distribution or transmission revenues, as applicable.

Activity Eligible for Cost Awards		Maximum Number of Hours	Date of Relevant Letter
EB-2011-0043 only	Preparation for, attendance at and reporting on Stakeholder Meeting (May 12, 2011)	actual meeting time plus 50% of meeting time	April 1, 2011
EB-2011-0004 only	Preparation for, attendance at and reporting on the Working Group Meetings (March 1, 15 & 29, April 12 & 27, and May 10, 2011)	10 hours per day	January 13, 2011
Integrated consultation activity	Preparation for, attendance at, and reporting on Stakeholder Meeting (Feb 2, 2011)	8 hours	December 17, 2010
Integrated consultation activity	Review of staff's discussion papers and staff's consultants' reports prior to the Information Session	50 hours	November 8, 2011
Integrated consultation activity	Attendance at the Information Session (Dec. 8 & 9, 2011)	10 hours per day	November 8, 2011
Integrated consultation activity	Preparation for, attendance at, and reporting on Stakeholder Conference (Mar 28, 29 & 30, 2012)	10 hours per day	February 22, 2012
Activity specific to initiative(s).	Written comments on staff discussion papers and Stakeholder Conference issues	25 hours <u>per EB number</u>	February 22, 2012

Activity Eligible for Cost Awards		Maximum Number of Hours	Date of Relevant Letter
Integrated consultation activity	Written comments on Issues identified by the Board	20 hours	April 5, 2012
	<u>For each expert retained by an eligible participant:</u>		
Integrated consultation activity	Attendance at the Information Session (Dec. 8 & 9)	10 hours per day	November 8, 2011
Activity specific to initiative(s).	Preparation of separate expert report	40 hours <u>per EB number</u>	November 8, 2011
Integrated consultation activity	Participation at the Stakeholder Conference (Mar 28, 29 & 30, 2012)	10 hours per day	February 22, 2012
	<u>For each expert retained by a collaborative (i.e. group of eligible participant):</u>		
Integrated consultation activity	Attendance at the Information Session (Dec. 8 & 9)	10 hours per day	November 8, 2011
Activity specific to initiative(s).	Preparation of separate expert report	40 hrs + (20 hrs * number of additional members in collaborative) <u>per EB number</u>	November 8, 2011
Integrated consultation activity	Participation at the Stakeholder Conference (Mar 28, 29 & 30, 2012)	10 hours per day	February 22, 2012

Appendix B: List of Participants Eligible for Cost Awards and Associated Initiative(s)

Legend:

✓	request approved
✓ _{Ex}	request for expert approved

Participant		EB-2010-0377	EB-2010-0378	EB-2010-0379	EB-2011-0043	EB-2011-0004
1	Agrienergy Producers' Association of Ontario (APAO)		✓	✓	✓	
2	Association of Major Power Consumers in Ontario (AMPCO)	✓	✓	✓	✓	✓
3	Association of Power Producers of Ontario (APPrO)	✓/✓ Ex	✓/✓ Ex	✓/✓ Ex	✓/✓ Ex	✓
4	Building Owners and Managers Association of the Greater Toronto Area (BOMA)	✓	✓	✓	✓	✓
5	Canadian District Energy Association (CDEA)	✓		✓	✓	
6	Canadian Federation of Independent Business (CFIB)	✓/✓ Ex	✓	✓	✓/✓ Ex	✓/✓ Ex
7	Canadian Manufacturers & Exporters (CME)	✓/✓ Ex	✓/✓ Ex	✓	✓	✓
8	Canadian Solar Industries Association (CanSIA)	✓	✓	✓	✓	
9	Canadian Wind Energy Association (CanWEA)	✓	✓	✓	✓	✓
10	Consumers Council of Canada (CCC)	✓	✓	✓	✓	✓
11	Council of Canadians (CoC)	✓	✓	✓		
12	Electrical Contractors Association of Ontario (ECAO)	✓	x	✓		
13	Energy Probe Research Foundation (EPRF)	✓	✓	✓	✓	
14	Federation of Rental-housing Providers of Ontario (FRPO)	✓	✓	✓	✓	✓
15	London Property Management Association (LPMA)	✓	✓	✓	✓	✓
16	Low-Income Energy Network (LIEN)	✓	✓	✓	✓	✓
17	National Chief's Office (NCO)	✓	✓	✓	✓	
18	Nishnawbe Aski Nation (NAN)				✓	
19	Northwatch	✓/✓ Ex	✓/✓ Ex	✓/✓ Ex	✓/✓ Ex	✓/✓ Ex
20	Northwestern Ontario Associated Chambers of Commerce (NOACC)				✓	✓
21	Ontario Sustainable Energy Association (OSEA)	✓	✓	✓	✓	✓
22	Ontario Waterpower Association (OWA)		✓	✓	✓	
23	Pollution Probe	✓	✓	✓	✓	✓

Participant		EB-2010-0377	EB-2010-0378	EB-2010-0379	EB-2011-0043	EB-2011-0004
24	Retail Council of Canada (RCC)	✓/✓ Ex	✓/✓ Ex	✓/✓ Ex	✓/✓ Ex	✓/✓ Ex
25	School Energy Coalition (SEC)	✓	✓	✓	✓	
26	Vulnerable Energy Consumers Coalition (VECC)	✓	✓	✓	✓	✓

Appendix C: Summary of Consultation Activities for Which Each Eligible Participant is Eligible

Participant		Activity Eligible for Cost Awards													
		For each eligible participant								For each expert retained by an eligible participant			For each expert retained by a collaborative (i.e. group of eligible participants)		
		EB-2011-0043 only	EB-2011-0004 only	Integrated consultation activity	Integrated consultation activity	Integrated consultation activity	Integrated consultation activity	Activity specific to initiative(s).	Integrated consultation activity	Integrated consultation activity	Activity specific to initiative(s).	Integrated consultation activity	Integrated consultation activity	Activity specific to initiative(s).	Integrated consultation activity
		Preparation for, attendance at and reporting on Stakeholder Meeting (May 12, 2011)	Preparation for, attendance at and reporting on the Working Group Meetings (March 1, 15 & 29, April 12 & 27, and May 10, 2011)	Preparation for, attendance at, and reporting on Stakeholder Meeting (Feb 2, 2011)	Review of staff's discussion papers and staff's consultants' reports prior to the Information Session	Attendance at the Information Session (Dec. 8 & 9, 2011)	Preparation for, attendance at, and reporting on Stakeholder Conference (Mar 28, 29 & 30, 2012)	Written comments on staff discussion papers and Stakeholder Conference issues	Written comments on Issues identified by the Board	Attendance at the Information Session (Dec. 8 & 9)	Preparation of separate expert report	Participation at the Stakeholder Conference (Mar 28, 29 & 30, 2012)	Attendance at the Information Session (Dec. 8 & 9)	Preparation of separate expert report	Participation at the Stakeholder Conference (Mar 28, 29 & 30, 2012)
1	Agrienergy Producers' Association of Ontario (APAO)					✓	✓	✓	✓						
2	Association of Major Power Consumers in Ontario (AMPCO)	✓	✓	✓	✓	✓	✓	✓	✓						
3	Association of Power Producers of Ontario (APPrO)	✓		✓	✓	✓	✓	✓	✓					✓	✓
4	Building Owners and Managers Association of the Greater Toronto Area (BOMA)		✓	✓	✓	✓	✓	✓	✓						
5	Canadian District Energy Association (CDEA)						✓	✓	✓						
6	Canadian Federation of Independent Business (CFIB)				✓	✓	✓	✓	✓	✓	✓	✓			
7	Canadian Manufacturers & Exporters (CME)	✓		✓	✓	✓	✓	✓	✓				✓	✓	✓
8	Canadian Solar Industries Association (CanSIA)						✓	✓	✓						
9	Canadian Wind Energy Association (CanWEA)						✓	✓	✓						
10	Consumers Council of Canada (CCC)	✓		✓	✓	✓	✓	✓	✓						
11	Council of Canadians (CoC)			✓	✓	✓	✓	✓	✓						
12	Electrical Contractors Association of Ontario (ECAO)			✓	✓	✓	✓	✓	✓						
13	Energy Probe Research Foundation (EPRF)	✓		✓	✓	✓	✓	✓	✓						
14	Federation of Rental-housing Providers of Ontario (FRPO)			✓	✓	✓	✓	✓	✓						
15	London Property Management Association (LPMA)	✓	✓	✓	✓	✓	✓	✓	✓						
16	Low-Income Energy Network (LIEN)			✓	✓	✓	✓	✓	✓						
17	National Chief's Office (NCO)	✓		✓	✓	✓	✓	✓	✓						
18	Nishnawbe Aski Nation (NAN)	✓													
19	Northwatch					✓	✓	✓	✓	✓	✓	✓			
20	Northwestern Ontario Associated Chambers of Commerce (NOACC)	✓				✓	✓	✓	✓						
21	Ontario Sustainable Energy Association (OSEA)	✓	✓	✓	✓	✓	✓	✓	✓						
22	Ontario Waterpower Association (OWA)				✓	✓	✓	✓	✓						
23	Pollution Probe	✓			✓	✓	✓	✓	✓						
24	Retail Council of Canada (RCC)				✓	✓	✓	✓	✓	✓	✓	✓			
25	School Energy Coalition (SEC)			✓	✓	✓	✓	✓	✓						
26	Vulnerable Energy Consumers Coalition (VECC)	✓		✓	✓	✓	✓	✓	✓						

Appendix D: Ontario Energy Board Cost Claim for Consultations: Affidavit and Summary of Fees and Disbursements

Provided in separate MS Excel Workbook named "RRFE Policy Consultation Cost Claim Form for Activities up to May 31 2012 (v15_2012-06-01).xls".

This is Exhibit "D" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to be "M. E. J.", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)

Direct Dial: (416) 862-4825
File: 5761

By Electronic Mail, Courier and RESS Filing

July 25, 2012

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street,
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Northwatch Application for Cost Award
Renewed Regulatory Framework for Electricity
Board File Numbers: EB-2010-0377, EB-2010-0378, EB-2010-0379, EB-2011-0043 and EB-2011-0004**

In accordance with the Board's Practice Direction on Cost Awards, Northwatch hereby applies for cost awards for its contribution and the contribution of its expert, Mr. William B. Marcus of JBS Energy Inc., in this proceeding. As a not-for-profit organization, Northwatch depends on cost awards to remunerate counsel, its representative, Ms. Brennain Lloyd, and its expert for their participation in this proceeding.

Value to the Proceeding

As a public interest organization concerned with environmental protection and social development in northeastern Ontario, Northwatch has a long-term and consistent interest in electricity planning in Ontario. In particular, Northwatch's interests are with respect to electricity generation and transmission in northeastern Ontario, conservation and efficiency measures, and rates and rate structures.

Northwatch serves as an invaluable representative of the residents and regions of northeastern Ontario. These regions and residents will or may be affected by the renewed regulatory framework for electricity proceeding in as far as it relates to:

- how the electricity framework may evolve in support of and/or counter to Northwatch's interests and objectives, and



- whether and/or how demand and supply of electricity will be balanced at a regional level.

Northwatch demonstrated its value throughout this proceeding, through Northwatch's participation in the Staff Information Session, participation and presentation at the Stakeholder Conference and written submissions regarding EB-2010-0378, EB-2010-0379, EB-2011-0043 and EB-2011-0004. Throughout the above, Northwatch represented the residents and regions of northeastern Ontario by devoting significant attention to the regional planning issues identified by the Board, and specifically the interface between transmission and distribution utilities to provide least-cost regional solutions. Northwatch also addressed each of the other four issue areas identified by the Board. Northwatch specifically provided suggestions regarding:

- the need for broader regional planning of supply and demand across regions, including generation planning
- ways to improve distribution planning, and more specifically ways to improve on issues regarding plans for growth, aging infrastructure, information technology and smart grid, in order to promote sustainable development while assuring money is spent wisely
- the necessity for creation of incentives and plans for utility system investment to reduce energy use on distribution systems, including reductions of distribution losses and control of customer voltage.

Northwatch submits that its costs claimed in this proceeding are representative of Northwatch's value to this proceeding. Northwatch was an integral part of the Stakeholder Conference and provided helpful and comprehensive written submissions on each of EB-2010-0378, EB-2010-0379, EB-2011-0043 and EB-2011-0004.

Northwatch avoided incurring costs wherever possible. Northwatch's costs as submitted to the Board are minimal and reasonable.

Promotion of Efficiency and Avoidance of Duplication

Northwatch was an active participant in the proceeding and successfully coordinated its efforts with other intervenors throughout same.

Northwatch communicates regularly with other stakeholder groups on electricity related matters. As a coalition with a diverse network of members and associates, Northwatch's experience and perspective is unique to northeastern Ontario, and as such coordination with other intervenors was not possible on all issues. However, Northwatch collaborated with like-minded intervenors to the extent possible and necessary throughout the proceeding to minimize duplication of effort.



Delegation of Tasks

Northwatch co-ordinated roles and responsibilities between and among Northwatch's representative, legal counsel and expert in order to avoid duplication and to minimize costs.

Northwatch minimized legal costs by having junior associate counsel prepare and/or revise correspondence, review correspondence from the Board and the parties, assist in preparing Northwatch's presentation, revise Northwatch's written submissions and coordinate with other intervenors.

Northwatch minimized administrative costs by employing legal counsel's assistant to perform filing and formatting of correspondence and submissions to the Board, and all other administrative tasks whenever possible, free of charge.

Northwatch retained Mr. William B. Marcus of JBS Energy to provide expert advice and opinions to Northwatch in this proceeding. Mr. Marcus is an expert in energy policy. Mr. Marcus has reviewed issues related to utility resource planning, cost-effectiveness of energy projects, design of energy efficiency programs, performance-based ratemaking, revenue requirements, rate of return, and cost allocation and rate design for a variety of consumer, environmental, and independent power clients. He has testified as an expert witness before approximately 40 regulatory bodies and courts in North America.

Mr. Marcus reviewed the Board Staff discussion papers and the expert papers, assisted counsel and Northwatch's representative, Ms. Lloyd, with strategy in preparing for the Stakeholder Conference and prepared written submissions based on his review of the Board Staff discussion papers and the expert papers.

We enclose the Cost Claim of Northwatch and respectfully request that its contribution be acknowledged in this proceeding.

Yours truly,

Matt Gardner

Encl.

Document #: 534691

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party (defined in the Practice Direction on Cost Awards as including a participant in a consultation process) in a consultation before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board Notice of Hearing for Cost Awards. Please ensure all required fields are filled in and the Affidavit portion is signed and sworn or affirmed.

Instructions

- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
Rate: _____ Country: _____
- A separate "Statement of Disbursements Being Claimed" is required for each consultant or lawyer/articling student/paralegal. However only one "Statement of Fees Being Claimed" and one "Summary of Fees and Disbursements Being Claimed" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB-2010-0377/0378/0379; 2011-0004; 201 **Process:** Renewed Regulatory Framework for Electricity

Party: Northwatch

Affiant's Name: MATTHEW GARDNER

HST Number: 113627988RT0001

HST Rate Ontario: 13.00%

Full Registrant ☐

Qualifying Non-Profit ☐

Unregistered ☐

Tax Exempt ☐

Other ☐

Affidavit

I, MATTHEW GARDNER, of the City/Town of BURLINGTON
in the Province/State of ONTARIO, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

Matthew Gardner

Signature of Affiant

Sworn or affirmed before me at the City/Town of Toronto,
in the Province/State of Ontario, on July-25-12
(date)

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS



Affidavit and Summary of Fees and Disbursements


Commissioner for taking Affidavits

File # EB- EB-2010-0377/0378/0379; 2011-0004; 201 Process: Renewed Regulatory Framework for Electricity

Party: Northwatch

Summary of Fees and Disbursements Being Claimed

Legal/consultant fees	\$22,010.40
Disbursements	\$903.95
HST	\$2,978.87
Total Cost Claim	\$25,893.22

Detail of Fees and Disbursements Being Claimed

Statement of Fees Being Claimed

Statement of Fees being claimed for Eligible Activity is found on the second tab of this workbook.

Statement(s) of Disbursements Being Claimed

Statement of Disbursements being claimed is found on the third tab of this workbook.

Ontario Energy Board

COST CLAIM FOR CONSULTATIONS

Affidavit and Summary of Fees and Disbursements



Individual Whose Costs are Being Claimed

Name: <u>Juli Abouchar (Willms & Shier Environment)</u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	<u>18 (1994)</u>	
Consultant:	<input type="checkbox"/>	<u></u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Name: <u>Matthew Gardner (Willms & Shier Environi)</u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	<u>2 (2010)</u>	
Consultant:	<input type="checkbox"/>	<u></u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Name: <u>Brennain Lloyd (Northwatch)</u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	<u></u>	
Consultant:	<input checked="" type="checkbox"/>	<u>23</u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Name: <u>William B. Marcus (JBS Energy Inc.)</u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	<u></u>	
Consultant:	<input checked="" type="checkbox"/>	<u>32</u>	
CV attached:	<input checked="" type="checkbox"/>	CV not required:	<input type="checkbox"/>

Name: <u></u>		Completed Years Practicing/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input type="checkbox"/>	<u></u>	
Consultant:	<input type="checkbox"/>	<u></u>	
CV attached:	<input type="checkbox"/>	CV not required:	<input type="checkbox"/>



Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Fees Being Claimed

File # EB-EB-2010-0377/0378/0379; 2011-0004; 2011-0043

ProcessRenewed Regulatory Framework for Electricity

EligibleParticipantNorthwatch

HST Rate:13%

Date of Relevant Letter (incl. link to document) -->January 13, 2011

Eligible Activity -->EB-2011-004 only

(maximum number of hours below)

Who is Eligible -->Eligible Participant

As set out in the Board's December 17, 2010 letter, and clarified in the Board's November 8, 2011 letter, participants eligible for cost awards are required to provide a breakdown of their claims by EB number because costs awarded will be recovered as follows:

For integrated consultation activities as identified in the table below, costs awarded will be recovered from all rate-regulated licensed electricity distributors (65% of the costs awarded) and all rate-regulated licensed transmitters (35% of the costs awarded).

For activities specific to initiative(s) as identified in the table below, costs awarded will be recovered as follows:

EB-2010-0377, from all rate-regulated licensed electricity distributors; and

EB-2010-0378, EB-2010-0379, EB-2011-0004 and EB-2011-0043, from all rate-regulated licensed electricity distributors (50% of the costs awarded) and all rate-regulated licensed transmitters (50% of the costs awarded).

In all cases, costs awarded will be apportioned within each class based on distribution or transmission revenues, as applicable.

		January 13, 2011							December 17, 2010	April 1, 2011	November 8, 2011	November 8, 2011				February 22, 2012					
		EB-2011-004 only							Integrated consultation activity	EB-2011-0043 only	Integrated consultation activity	Integrated consultation activity				Integrated consultation activity					
		Preparation for, attendance at and reporting on the working group meetings							Preparation for, attendance at and reporting on stakeholder meeting	Preparation for, attendance at and reporting on stakeholder meeting	Review of staff's discussion papers and staff's consultants' reports prior to the information session	Attendance at information session				Preparation for, attendance at, and reporting on stakeholder conference					
		Eligible Participant							Eligible Participant	Eligible Participant	Eligible Participant	Eligible Participant		Expert		Eligible Participant			Expert		
Individual Whose Fees are Being Claimed	Hourly rate	Mar 1/11	Mar 15/11	Mar 29/11	Apr 12/11	Apr 27/11	May 10/11	Feb 2/11	May 12/11			Dec 8/11	Dec 9/11	Dec 8/11	Dec 9/11	Mar 28/12	Mar 29/12	Mar 30/12	Mar 28/12	Mar 29/12	Mar 30/12
		Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 8 hours	Up to (actual meeting time*1.5%) hours	Up to 50 hours		Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours	Up to 10 hours
Juli Abouchar (Willms & Shier Environn	\$290.00									0.40											
Matthew Gardner (Willms & Shier Envi	\$170.00									10.00		5.10	2.70			5.00	5.00				
Brennain Lloyd (Northwatch)	\$330.00															5.00	5.00				
William B. Marcus (JBS Energy Inc.)	\$330.00																			10.00	
Totals:		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.40		5.10	2.70	0.00	0.00	10.00	10.00	0.00	0.00	10.00	0.00

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Fees Being Claimed



February 22, 2012					April 5, 2012	November 8, 2011												
Activity specific to initiative(s)					Integrated consultation activity	Activity specific to initiative(s)												
Written comments on staff discussion papers and Stakeholder Conference issues by EB Number (due April 20, 2012)					Written comments on issues identified by the Board (due April 20, 2012)	Preparation of separate expert report(s) for eligible Participant(ies) by EB Number												
Eligible Participant					Eligible Participant	Retained by a single eligible Participant					Retained by a collaborative							
Up to 25 hours for EB-2010-0377	Up to 25 hours for EB-2010-0378	Up to 25 hours for EB-2010-0379	Up to 25 hours for EB-2011-0043	Up to 25 hours for EB-2011-0004	Up to 20 hours	Up to 40 hours for EB-2010-0377	Up to 40 hours for EB-2010-0378	Up to 40 hours for EB-2010-0379	Up to 40 hours for EB-2011-0043	Up to 40 hours for EB-2011-0004	Up to 40 + (20 hours * number of additional members in collaborative) for EB-2010-0377	Up to 40 + (20 hours * number of additional members in collaborative) for EB-2010-0378	Up to 40 + (20 hours * number of additional members in collaborative) for EB-2010-0379	Up to 40 + (20 hours * number of additional members in collaborative) for EB-2011-0043	Up to 40 + (20 hours * number of additional members in collaborative) for EB-2011-0004	Subtotal	HST	Total
	1.10	1.10	1.00													\$1,044.00	\$135.72	\$1,179.72
	5.60	5.60	6.30	1.20												\$7,905.00	\$1,027.65	\$8,932.65
																\$3,300.00	\$429.00	\$3,729.00
	6.00	6.00	6.18	1.40												\$9,761.40	\$1,268.98	\$11,030.38
																\$0.00	\$0.00	\$0.00
0.00	12.70	12.70	13.48	2.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$22,010.40	\$2,861.35	\$24,871.75
																Total legal/consultant fees:		

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File #	EB- <u>EB-2010-0377/0378/0379; 2011-0004; 20</u>	Process:	Renewed Regulatory Framework for Electricity
Party:	<u>Northwatch</u>		

Name of individual whose disbursements are being claimed: Abouchar (Willms & Shier Environmental Lawyers)

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Photocopies	\$5.25	\$0.68	\$5.93
Printing	\$328.50	\$42.71	\$371.21
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone	\$5.44	\$0.71	\$6.15
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation (room only)		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other: Scanning	\$13.50	\$1.76	\$15.26
TOTAL DISBURSEMENTS:	\$352.69	\$45.85	\$398.54

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Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File #	EB- <u>EB-2010-0377/0378/0379; 2011-0004; 2011-0005</u>	Process:	Renewed Regulatory Framework for Electricity
Party:	<u>Northwatch</u>		

Name of individual whose disbursements are being claimed: Andrew Gardner (Willms & Shier Environmental Lawyers)

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation (room only)		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

2/ Same as Juli Abouchar

ALL DATES
Working Lawyer

Date	Fee / Time				Hours	Amount	Inv#
Entry #	Explanation						
1202	Northwatch						
5761	Re: Renewed Regulatory Framework for Ele						
Nov 14/2011	Lawyer: 31 2.00 Hrs X 290.00	31	31	- JULI ABOUCHAR	2.00	580.00	
1197868	Northwatch: telephone conference experts; identify potential expert and prepare intervention letter;						
Nov 14/2011	Lawyer: 53 3.40 Hrs X 170.00	53	53	- MATTHEW GARDNE	3.40	578.00	
1197883	prepare intervention, cost eligibility and expert approval request letter for Northwatch and coordinate which expert to retain to review the Board Staff discussion papers and expert materials and provide expert opinion on same;						
Nov 29/2011	Lawyer: 53 0.20 Hrs X 170.00	53	53	- MATTHEW GARDNE	0.20	34.00	
1205431	consider next steps required in preparing for Board Staff Q and A session on Discussion Papers;						
Nov 29/2011	Lawyer: 31 0.20 Hrs X 290.00	31	31	- JULI ABOUCHAR	0.20	58.00	
1205443	status update and instructions for next steps;						
Nov 30/2011	Lawyer: 53 0.20 Hrs X 170.00	53	53	- MATTHEW GARDNE	0.20	34.00	
1205747	telephone call to OEB to determine if accepted for cost award and expert and to determine if expert permitted to participate in Board Staff discussion conference on December 8 and 9, 2011;						
Dec 1/2011	Lawyer: 53 0.70 Hrs X 170.00	53	53	- MATTHEW GARDNE	0.70	119.00	
1206116	coordinate with B. Lloyd of Northwatch on clarifying for OEB the scope of expert retained to regional planning issues in proceeding; telephone call from R. Houldin of OEB clarifying status of Northwatch to participate in December 8 and 9, 2011 Q and A discussion and request that all email address listed in Northwatch's intervention letter be added to list; discuss attendance by teleconference with B. Lloyd and confirm same with R. Houldin and R. Anderson of Board; review email from A. Cazalet of OEB confirming status of intervention request to be provided tomorrow;						
Dec 2/2011	Lawyer: 53 1.50 Hrs X 170.00	53	53	- MATTHEW GARDNE	1.50	255.00	
1206395	review Board Staff Discussion Paper on Regional Planning in preparation for Staff Information Session; review Board's Decision on Cost Eligibility; send Decision on Cost Eligibility to B. Lloyd of Northwatch and coordinate strategy for engaging expert B. Marcus in either attending or providing feedback in preparation for Staff Information Session; email expert B. Marcus update that Northwatch accepted for costs for expert involvement and provide instructions to commence review of Regional Planning issues in Board and Expert Discussion Papers;						
Dec 6/2011	Lawyer: 53 0.70 Hrs X 170.00	53	53	- MATTHEW GARDNE	0.70	119.00	
1208274	prepare for Staff Information Session, including review of Board Staff Discussion Paper on Regional Planning and coordinating issues with B. Lloyd of Northwatch and expert B. Marcus; email B. Marcus to set out plan for participating in Staff Information Session;						
Dec 6/2011	Lawyer: 53 4.10 Hrs X 170.00	53	53	- MATTHEW GARDNE	4.10	697.00	
1214046	review Staff Discussion Papers and consultant papers filed on topics other than regional planning for issues of concern to Northwatch, including regional planning to prepare for submissions to Board on RRF;						
Dec 7/2011	Lawyer: 53 0.20 Hrs X 170.00	53	53	- MATTHEW GARDNE	0.20	34.00	
1208540	email B. Lloyd of Northwatch and B. Marcus, expert, all Board Staff and Consultant Discussion papers, details for Staff Information Session and Agenda for same;						
Dec 8/2011	Lawyer: 53 5.10 Hrs X 170.00	53	53	- MATTHEW GARDNE	5.10	867.00	
1208776	attend day one of Staff Information						

Date	Entry #	Fee / Time Explanation	Working	Lawyer	Hours	Amount	Inv#
Dec 9/2011	1210599	Session reviewing Discussion papers on RRF by teleconference; Lawyer: 53 2.70 Hrs X 170.00 attend day two of Staff Information Session reviewing Discussion papers on RRF by teleconference;	53	53 - MATTHEW GARDNE	2.70	459.00	
Feb 7/2012	1225145	Lawyer: 53 0.50 Hrs X 170.00 review letter from Board dated February 6, 2012 indicating that a smaller stakeholder meeting will be held and that the full Stakeholder Conference is postponed until a later date; leave voice message with the Board to confirm that Northwatch is not included in meeting; email B. Lloyd of Northwatch and expert B. Marcus update and letter from the Board; review email from B. Lloyd re next steps; receive phone call from Board confirming that Northwatch not involved in preliminary meeting and that timeframe for Stakeholder Conference end of March and report same to B. Lloyd, B. Marcus;	53	53 - MATTHEW GARDNE	0.50	85.00	
Feb 22/2012	1228818	Lawyer: 53 0.80 Hrs X 170.00 review Board's letter re Stakeholder Conference and cost award information and report to B. Lloyd of Northwatch and expert B. Marcus re same and to set up time to discuss preparation of Northwatch's participation in Stakeholder Conference;	53	53 - MATTHEW GARDNE	0.80	136.00	
Feb 23/2012	1228903	Lawyer: 53 0.30 Hrs X 170.00 review contact persons from GEC, LIEN, OSEA and Council for Canadians to coordinate positions for RRFE Stakeholder Conference;	53	53 - MATTHEW GARDNE	0.30	51.00	
Feb 29/2012	1230446	Lawyer: 53 0.40 Hrs X 170.00 prepare for teleconference with B. Lloyd to discuss next steps in preparing for Stakeholder Conference;	53	53 - MATTHEW GARDNE	0.40	68.00	
Mar 1/2012	1230537	Lawyer: 31 1.00 Hrs X 290.00 telephone conference B Lloyd re preparation for conference; use of experts and next steps;	31	31 - JULI ABOUCHAR	1.00	290.00	
Mar 1/2012	1272077	Lawyer: 53 0.20 Hrs X 170.00 email B. Hewson re funding availability for expert to attend Stakeholder Conference by webcast; attend teleconference with B. Lloyd and J. Abouchar to prepare for Stakeholder Conference;	53	53 - MATTHEW GARDNE	0.20	34.00	
Mar 2/2012	1230780	Lawyer: 53 0.80 Hrs X 170.00 telephone call and leave voice message with Brian Hewson of Board asking if Northwatch can obtain a list of parties present at closed doors meeting held in February 2012 and any reports arising therefrom and confirmation that the aims of Staff Discussion Papers have not changed for purpose of preparing for Stakeholder Conference; telephone calls with B. Lloyd of Northwatch and expert B. Marcus re preparing for Stakeholder Conference and arrange call to discuss further; telephone call to J. Simon of LIEN to discuss combining submissions/presentations for Stakeholder Conference and possibility of sending joint letter to receive input on closed door meetings with Board and certain Stakeholders before attending Stakeholder Conference; review email from B. Marcus re renewable energy capacity in Northeastern Ontario re regional planning, review proposed IPSP renewable energy projections and other sources of renewable energy inputs in Northeastern Ontario and prepare email reply;	53	53 - MATTHEW GARDNE	0.80	136.00	
Mar 5/2012	1231041	Lawyer: 53 1.60 Hrs X 170.00 prepare for conference call with B.	53	53 - MATTHEW GARDNE	1.60	272.00	

Date	Fee / Time	Working	Lawyer	Hours	Amount	Inv#
Entry #	Explanation					
Mar 6/2012	Marcus and B. Lloyd in preparation for Stakeholder Conference; email J. Simon of LIEN to discuss preparing letter to Board requesting information from closed-door meetings in February in order to prepare for Stakeholder Conference;	53	53	0.30	51.00	
1231315	Lawyer: 53 0.30 Hrs X 170.00 email correspondence with J. Simon of LIEN and B. Lloyd re getting information from February limited stakeholder meetings; review and reply to response from B. Hewson of Board indicating that Board will provide list of parties and information that came out of stakeholder sessions in February to all parties and forward same to B. Lloyd; review and reply to email from B. Lloyd suggesting we forward B. Hewson's response to like-minded intervenors;	53	53	0.60	102.00	
Mar 7/2012	Lawyer: 53 0.60 Hrs X 170.00 forward email with B. Hewson's response re details of closed door meetings to be provided next week to all intervenors to Pollution Probe, OSEA, LIEN and Council of Canadians; email Board setting out particulars about Northwatch's attendance Stakeholder Conference as requested in Board's letter of February 22, 2012;	53	53	0.20	34.00	
1231488	Lawyer: 53 0.20 Hrs X 170.00 email expert B. Marcus re materials for Northwatch's presentation at Stakeholder Conference;	53	53	0.40	68.00	
Mar 19/2012	Lawyer: 53 0.40 Hrs X 170.00 telephone call with B. Lloyd to discuss timing and attendance at Stakeholder Conference and materials from expert B. Marcus; telephone call to B. Marcus to determine timing of review of materials;	53	53	0.40	68.00	
1235721	Lawyer: 53 0.40 Hrs X 170.00 call B. Marcus re preparing for Stakeholder Conference; email B. Marcus draft agenda and follow up re discussion points for regional planning;	53	53	1.20	204.00	
Mar 20/2012	Lawyer: 53 1.20 Hrs X 170.00 prepare for Stakeholder Conference;	53	53	5.00	850.00	
1236257	Lawyer: 53 5.00 Hrs X 170.00 prepare for, travel to and attend Stakeholder Conference; prepare Northwatch presentation with B. Lloyd for regional planning panel; travel back to office;	53	53	5.00	850.00	
Mar 21/2012	Lawyer: 53 5.00 Hrs X 170.00 travel to and attend Day 2 of Stakeholder Conference; travel back to office;	53	53	0.80	136.00	
1236459	Lawyer: 53 0.80 Hrs X 170.00 email B. Marcus, expert, notes and instructions to prepare written submissions on regional planning and related issues after Stakeholder Consultation with deadline of April 20;	53	53	5.20	884.00	
Mar 26/2012	Lawyer: 53 5.20 Hrs X 170.00 review and revise Northwatch submission on regional planning and other board staff papers prepared by expert B. Marcus;	31	31	0.40	116.00	
1238002	Lawyer: 31 0.40 Hrs X 290.00 discuss procedure with M Gardner;	53	53	2.20	374.00	
Mar 28/2012	Lawyer: 53 2.20 Hrs X 170.00 revise introduction and conclusion of Northwatch's submission as prepared by expert B. Marcus and review and incorporate B. Lloyd's comments into submission; email to B. Marcus and B. Lloyd for final revisions;	53	53	1.20	204.00	
1272532	Lawyer: 53 1.20 Hrs X 170.00 final revisions to Northwatch submission re RREF and prepare cover					
Mar 29/2012	Lawyer: 53 5.00 Hrs X 170.00 travel to and attend Day 2 of Stakeholder Conference; travel back to office;	53	53	0.80	136.00	
1272533	Lawyer: 53 0.80 Hrs X 170.00 email B. Marcus, expert, notes and instructions to prepare written submissions on regional planning and related issues after Stakeholder Consultation with deadline of April 20;	53	53	5.20	884.00	
Apr 2/2012	Lawyer: 53 5.20 Hrs X 170.00 review and revise Northwatch submission on regional planning and other board staff papers prepared by expert B. Marcus;	31	31	0.40	116.00	
1239074	Lawyer: 31 0.40 Hrs X 290.00 discuss procedure with M Gardner;	53	53	2.20	374.00	
Apr 17/2012	Lawyer: 53 2.20 Hrs X 170.00 revise introduction and conclusion of Northwatch's submission as prepared by expert B. Marcus and review and incorporate B. Lloyd's comments into submission; email to B. Marcus and B. Lloyd for final revisions;	53	53	1.20	204.00	
1242778	Lawyer: 53 1.20 Hrs X 170.00 final revisions to Northwatch submission re RREF and prepare cover					
Apr 18/2012	Lawyer: 31 0.40 Hrs X 290.00 discuss procedure with M Gardner;	53	53	2.20	374.00	
1242838	Lawyer: 53 2.20 Hrs X 170.00 revise introduction and conclusion of Northwatch's submission as prepared by expert B. Marcus and review and incorporate B. Lloyd's comments into submission; email to B. Marcus and B. Lloyd for final revisions;	53	53	1.20	204.00	
Apr 18/2012	Lawyer: 53 1.20 Hrs X 170.00 final revisions to Northwatch submission re RREF and prepare cover					
1242951	Lawyer: 53 1.20 Hrs X 170.00 final revisions to Northwatch submission re RREF and prepare cover					
Apr 19/2012	Lawyer: 53 1.20 Hrs X 170.00 final revisions to Northwatch submission re RREF and prepare cover					
1243115	Lawyer: 53 1.20 Hrs X 170.00 final revisions to Northwatch submission re RREF and prepare cover					

Date	Fee / Time	Working Lawyer	Hours	Amount	Inv#
Entry #	Explanation				
	letter to Board; emails with B. Marcus re final revisions;				
Apr 20/2012	Lawyer: 53 0.60 Hrs X 170.00	53 53 - MATTHEW GARDNE	0.60	102.00	
1243294	final revisions to Northwatch submission;				
Jul 20/2012	Lawyer: 53 1.20 Hrs X 170.00	53 53 - MATTHEW GARDNE	1.20	204.00	
1272125	prepare letter to Board re cost claim;				

Date	Paid To	Source	Matter	Client Name	Ref#	G/L	Acct
Entry#	Explanation						
Nov 14/2011		CER	5761	Northwatch	5170	-	RECOVERY
1201711	Photocopies						
Nov 14/2011		CER	5761	Northwatch	5171	-	RECOVERY
1201745	Photocopies						
	Total for Nov 14/2011 :						
Nov 29/2011		CER	5761	Northwatch	5170	-	RECOVERY
1207004	Photocopies						
	Total for Nov 29/2011 :						
Dec 2/2011		CER	5761	Northwatch	5170	-	RECOVERY
1207729	Photocopies						
Dec 2/2011		CER	5761	Northwatch	5170	-	RECOVERY
1207845	Photocopies						
	Total for Dec 2/2011 :						
Dec 6/2011		CER	5761	Northwatch	5125	-	TELEPHONE
1209313	Long Distance Calls						
	Total for Dec 6/2011 :						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209457	Photocopies						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209459	Photocopies						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209461	Photocopies						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209462	Photocopies						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209463	Photocopies						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209464	Photocopies						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209466	Photocopies						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209467	Photocopies						
Dec 7/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209468	Photocopies						
	Total for Dec 7/2011 :						
Dec 8/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209775	Photocopies						
Dec 8/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209776	Photocopies						
	Total for Dec 8/2011 :						
Dec 9/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209873	Photocopies						
Dec 9/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209875	Photocopies						
Dec 9/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209877	Photocopies						
Dec 9/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209878	Photocopies						
Dec 9/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209882	Photocopies						
Dec 9/2011		CER	5761	Northwatch	5170	-	RECOVERY
1209885	Photocopies						
	Total for Dec 9/2011 :						
Mar 21/2012		CER	5761	Northwatch	5125	-	TELEPHONE
1237359	Long Distance Calls						
	Total for Mar 21/2012 :						
Mar 22/2012		CER	5761	Northwatch	5170	-	RECOVERY
1237585	Photocopies						
Mar 22/2012		CER	5761	Northwatch	5170	-	RECOVERY
1237587	Photocopies						
Mar 22/2012		CER	5761	Northwatch	5170	-	RECOVERY
1237588	Photocopies						
	Total for Mar 22/2012 :						
Mar 27/2012		CER	5761	Northwatch	5170	-	RECOVERY
1239426	Photocopies						
Mar 27/2012		CER	5761	Northwatch	5170	-	RECOVERY
1239427	Photocopies						
	Total for Mar 27/2012 :						
Mar 29/2012		CER	5761	Northwatch	5170	-	RECOVERY
1239715	Photocopies						
	Total for Mar 29/2012 :						
Apr 5/2012		CER	5761	Northwatch	5170	-	RECOVERY
1244268	Photocopies						
	Total for Apr 5/2012 :						
Apr 16/2012		CER	5761	Northwatch	D6453 5096	-	PHOTOCOPY
1242456	Photocopies						
Apr 16/2012		CER	5761	Northwatch	5170	-	RECOVERY
1245469	Photocopies						
	Total for Apr 16/2012 :						
Apr 19/2012		CER	5761	Northwatch	5170	-	RECOVERY
1246063	Photocopies						
Apr 19/2012		CER	5761	Northwatch	5170	-	RECOVERY
1246065	Photocopies						
Apr 19/2012		CER	5761	Northwatch	5171	-	RECOVERY
1246110	Photocopies						
	Total for Apr 19/2012 :						

Date	Paid To	Source	Matter	Client Name	Ref#	G/L Acct
Entry#	Explanation					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246153	Photocopies					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246155	Photocopies					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246308	Photocopies					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246309	Photocopies					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246310	Photocopies					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246311	Photocopies					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246313	Photocopies					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246315	Photocopies					
Apr 20/2012		CER	5761	Northwatch	5170	- RECOVERY
1246325	Photocopies					
	Total for Apr 20/2012 :					
Jul 11/2012		CER	5761	Northwatch	5170	- RECOVERY
1270861	Photocopies					
Jul 11/2012		CER	5761	Northwatch	5170	- RECOVERY
1270862	Photocopies					
	Total for Jul 11/2012 :					

*** Client Costs Journal - G/L Account Summary ***

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File # EB- EB-2010-0377/0378/0379; 2011-0004; 2011-0005 Process: Renewed Regulatory Framework for Electricity
 Party: Northwatch

Name of individual whose disbursements are being claimed: Brennain Lloyd (Northwatch)

HST Rate Ontario: 13.00%

		Net Cost	HST	Total
Photocopies			\$0.00	\$0.00
Printing			\$0.00	\$0.00
Fax			\$0.00	\$0.00
Courier			\$0.00	\$0.00
Telephone			\$0.00	\$0.00
Postage			\$0.00	\$0.00
Transcripts			\$0.00	\$0.00
Travel: Air			\$0.00	\$0.00
Travel: Car			\$0.00	\$0.00
Travel: Rail			\$0.00	\$0.00
Travel (Other):	Private vehicle, NB to TO return	\$328.00	\$42.64	\$370.64
Parking			\$0.00	\$0.00
Taxi or Airport Limo			\$0.00	\$0.00
Accommodation (room only)		\$223.26	\$29.02	\$252.28
Meals			\$0.00	\$0.00
Other:			\$0.00	\$0.00
TOTAL DISBURSEMENTS:		\$551.26	\$71.66	\$622.92

3/

Client Consultation Review of Evidence Counsel Direction Experts/Evidence Interrogatories Administration
Preparation Argument Hearing Attendance Case Management.


EB-2010-0377 / 0378/ 0379 / EB-2011-0004/ EB-2011-0043

March 2012
Case Management Time Docket
Brennain Lloyd

Date	Time Spent (hr)	Task	Detail	Time Total
March 28	5	H	Attendance at Stakeholder Conference in Toronto	5
March 29	5	H	Attendance at Stakeholder Conference in Toronto	5

Submitted by: Brennain Lloyd

Date Submitted: July 25th, 2012

Signature: 



SUITES & CONDOMINIUM RESIDENCES

Glen Grove Suites & Condominium Residences
2837 Yonge Street
Toronto, Ontario, Canada
M4N 2J6

Phone: 416 489 8441 Toll Free: 1-800-565-3024
Fax: 416 440-3065
www.glengrove.com
sales@glengrove.com

Reservation Number 69333

Send to **Brennain Lloyd**
1450 Ski Club Road
North Bay, ON P1B8E6

Phone 705 492 7130

Guest Name Brennain Lloyd

Arrival Date
27/03/2012

Departure Date
29/03/2012

Room Information 500 - 1 Bedroom Large - GGS

Bill To Lloyd, Brennain
1450 Ski Club Road
North Bay, ON P1B8E6
Phone 705 492 7130

Folio Number 88643

Trans Date	Description		Voucher	Amount
Charges				
27/03/2012	Long Distance		8667445556	1.00
27/03/2012	H.S.T		8667445556	0.13
27/03/2012	Room Charge	Daily - Rack	ggs-500	99.00
27/03/2012	H.S.T		ggs-500	12.87
27/03/2012	D.M.F.		ggs-500	2.97
27/03/2012	Parking *	Daily Parking	-	10.00
27/03/2012	H.S.T		-	1.30
28/03/2012	Local Calls		4168499350	0.60
28/03/2012	H.S.T		4168499350	0.08
28/03/2012	Room Charge	Daily - Rack	ggs-500	99.00
28/03/2012	H.S.T		ggs-500	12.87
28/03/2012	D.M.F.		ggs-500	2.97
28/03/2012	Parking *	Daily Parking	-	10.00
28/03/2012	H.S.T		-	1.30
29/03/2012	Long Distance	500	rev	-1.00
29/03/2012	H.S.T	500	rev	-0.13
29/03/2012	Local Calls	500	rev	-0.60
29/03/2012	H.S.T	500	rev	-0.08
Total Charges				252.28
Payments				
27/03/2012	Mastercard	500	4302	-252.28

I have received the goods and / or services in the amount shown hereon. I agree that my liability for this bill is not waived and agree to be held personally liable in the event that the indicated person, company, or association fails to pay for any part or the full amount of these charges. If a credit card charge, I further agree to perform the obligations set forth in the cardholder's agreement with the issuer.

Guest Signature: _____



Glen Grove Suites & Condominium Residences
2837 Yonge Street
Toronto, Ontario, Canada
M4N 2J6

Phone: 416 489 8441 Toll Free: 1-800-565-3024
Fax: 416 440-3065
www.glengrove.com
sales@glengrove.com

Reservation Number 69333

Send to **Brennain Lloyd**
1450 Ski Club Road
North Bay, ON P1B8E6

Phone 705 492 7130

Guest Name Brennain Lloyd

Arrival Date
27/03/2012

Departure Date
29/03/2012

Room Information 500 - 1 Bedroom Large - GGS

Bill To Lloyd, Brennain
1450 Ski Club Road
North Bay, ON P1B8E6
Phone 705 492 7130

Folio Number 88643

Trans Date	Description	Voucher	Amount
	Total Payments		-252.28
		Balance Due:	0.00

GST #: 10217 0503 RT0001

I have received the goods and / or services in the amount shown hereon. I agree that my liability for this bill is not waived and agree to be held personally liable in the event that the indicated person, company, or association fails to pay for any part or the full amount of these charges. If a credit card charge, I further agree to perform the obligations set forth in the cardholder's agreement with the issuer.

Guest Signature: _____

Operated by Glen Grove Suites Inc.

Ontario Energy Board
COST CLAIM FOR CONSULTATIONS
Statement of Disbursements Being Claimed



File #	EB- <u>EB-2010-0377/0378/0379; 2011-0004; 20</u>	Process:	Renewed Regulatory Framework for Electricity
Party:	<u>Northwatch</u>		

Name of individual whose disbursements are being claimed: William B. Marcus (JBS Energy Inc.)

HST Rate Ontario: 13.00%

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		\$0.00	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation (room only)		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

4/ N/A

29/02/2012 OEB ratemaking and planning
 03/03/2012 OEB ratemaking and planning
 05/03/2012 OEB ratemaking and planning
 20/03/2012 OEB ratemaking and planning
 21/03/2012 OEB ratemaking and planning
 22/03/2012 OEB ratemaking and planning
 21/03/2012 OEB ratemaking and planning
 22/03/2012 OEB ratemaking and planning
 06/04/2012 OEB ratemaking and planning
 13/04/2012 OEB ratemaking and planning
 14/04/2012 OEB ratemaking and planning
 15/04/2012 OEB ratemaking and planning
 17/04/2012 OEB ratemaking and planning
 19/04/2012 OEB ratemaking and planning
OEB ratemaking and planning

10.83

1.75 Northwatch OEB
 2 Northwatch OEB
 1.5 Northwatch OEB
 0.83 Northwatch OEB
 4.5 Northwatch OEB
 0.25 Northwatch OEB

regional planning
 regional planning
 regional planning
 regional planning
 regional planning
 regional planning

2 Northwatch OEB

Measuring Distribution Performance

1.75 Northwatch OEB
 2.25 Northwatch OEB
 1.75 Northwatch OEB
 1.75 Northwatch OEB

Measuring Distribution Performance
 general
 Distribution Planning
 Distribution Planning

5.5 Northwatch OEB
 2.75 Northwatch OEB
 1 Northwatch OEB

see hour breakdown
 general
 general

29.58 Northwatch OEB

direct with general hours

3.58
 4.5
 4.5
 1
 6 allocate general

6.18 Regional Plan -0043
 6 Measuring Dist -0379
 6 Dist Planning - 0377
 1.4 Smart Grid -0004
 General
 2.6 Regional Plan
 1.5 Measuring Dist
 1.5 Dist Planning
 0.4 Smart Grid

Review regional planning documents and other OEB documents for context
 review regional planning report draft issue identification notes
 prep for and have conference call with client
 review documentation on regional planning, begin to draft materials
 draft paper on regional planning issues
 edit regional planning paper

prep for 3/29 session
 prep for 3/29 session
 prep for 3/29 session
 prep for 3/29 session
 prep for 3/29 session

draft portion of line loss analysis for Defining and Measuring Performance analysis
 draft remainder of line loss and conservation voltage regulation analysis for Defining and Measuring Performance analysis
 review and take notes on workshop presentations for submission
 draft submission on distribution planning
 draft submission on distribution planning
 work on submission (regional planning 2.75 hours, distribution planning 1 hours, distribution measurement 0.75 hour, smart grid 1 hour)
 complete and edit draft of submission with intro, conclusion, and references
 edit submission and respond to questions

allocated by hours to specific topics including regional planning paper writing pre 3/29, since much of that went into submission
 extra 0.1 hour to Smart Grid

William B. Marcus

Principal Economist,
JBS Energy, Inc.

William B. Marcus has 32 years of experience in analyzing electric and gas utilities.

Mr. Marcus graduated from Harvard College with an A.B. magna cum laude in economics in 1974 and was elected to Phi Beta Kappa. In 1975, he received an M.A. in economics from the University of Toronto.

In July, 1984, Mr. Marcus became Principal Economist for JBS Energy, Inc. In this position, he is the company's lead economist for utility issues.

Mr. Marcus is the co-author of a book on electric restructuring prepared for the National Association of Regulatory Utility Commissioners. He wrote a major report on Performance Based Ratemaking for the Energy Foundation.

Mr. Marcus has prepared testimony and formal comments submitted to the Federal Energy Regulatory Commission, the National Energy Board of Canada, the Bonneville Power Administration, the U.S. Bureau of Indian Affairs, U.S. District Court in San Diego, Nevada County Municipal Court; committees of the Nevada, Ontario and California legislatures and the Los Angeles City Council; the California Energy Commission (CEC), the Sacramento Municipal Utility District (SMUD), the Transmission Agency of Northern California, the State of Nevada's Colorado River Commission, a hearing panel of the Alberta Beverage Container Management Board; two arbitration cases, environmental boards in Ontario, Manitoba, and Nova Scotia; and regulatory commissions in Alberta, Arizona, Arkansas, British Columbia, California, Colorado, Connecticut, District of Columbia, Hawaii, Iowa, Manitoba, Maryland, Massachusetts, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, Northwest Territories, Nova Scotia, Ohio, Oklahoma, Ontario, Oregon, South Carolina, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Yukon. He testified on issues including utility restructuring, stranded costs, Performance-Based Ratemaking, resource planning, load forecasts, need for powerplants and transmission lines, environmental effects of electricity production, evaluation of conservation potential and programs, utility affiliate transactions, mergers, utility revenue requirements, avoided cost, and electric and gas cost of service and rate design.

From 1975 to 1978, Mr. Marcus was a research analyst at the Kennedy School of Government, Harvard University. He prepared public policy case studies on environmental and transportation issues, benefit-cost analysis, and urban policy and finance for use in classes and publication in the Kennedy School Case Series.

From July, 1978 through April, 1982, Mr. Marcus was an economist at the CEC, first in the energy development division and later as a senior economist in the CEC's Executive Office. He prepared testimony on purchased power pricing and economic studies of transmission projects, renewable resources, and conservation programs, and managed interventions in utility rate cases.

From April, 1982, through June, 1984, he was principal economist at California Hydro Systems, Inc., an alternative energy consulting and development company. He prepared

financial analyses of projects, negotiated utility contracts, and provided consulting services on utility economics.

Mr. Marcus is currently the Chair of the Manufactured Home Fair Practices Commission for the City of Woodland, California. This Commission regulates space rents in the City's mobile home parks. He has served on several other local government advisory committees, including a 1991-92 SMUD Rate Advisory Committee, which recommended cost allocation and rate design changes to the SMUD Board.

PUBLICATIONS

W. Marcus and C. Mitchell, "Critical Thinking on California IOU Energy Efficiency Performance Incentives from a Consumer Advocate's Perspective," Proceedings of 2006 ACEEE Summer Study on Energy Efficiency in Buildings, Panel 5, August 18, 2006.

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C. Praul, W. Marcus, and R. Weisenmiller. "Delivering Energy Services: New Challenges for Utilities and Regulators." Annual Review of Energy, 1982, 7:371-415.

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Author or co-author of eight cases published by the Kennedy School of Government, Harvard University, and the Inter-University Case Clearinghouse.

OTHER REPORTS AND PRESENTATIONS

W. Marcus, **Gas Rate Design and Energy Efficiency**, Presentation to National Association of State Utility Consumer Advocates, June 2010.

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W. Marcus. **Review of the Business Plan for the Marin County Community Choice Aggregation Program**. February 2008 and **Review of PG&E's March 5 2008 Comments on the Business Plan for the Marin County Community Choice Aggregation Program**. April 2008. Reports prepared for The County of Marin.

W. Marcus and G. Ruszovan, **Know Your Customers: A Review of Load Research Data and Economic, Demographic, and Appliance Saturation Characteristics of California Utility Residential Customers**. Attachment to Formal Comment Filed in CPUC App. 06-03-005 Dynamic Pricing Phase for The Utility Reform Network. December 2007.

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W. Marcus and G. Schilberg, **Renewables as a Market Strategy for Washington Water Power in a Restructured Electric Industry.** For Collaborative of Washington Water Power Co. and Northwest Conservation Act Coalition, and Renewable Northwest Project. January 1997.

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W. Marcus and J. Nahigian, **Economic Evaluation of the Quadrex Proposal to Acquire the Rancho Seco Nuclear Plant and Sell Power to the Sacramento Municipal Utility District.** Prepared for SMUD Director Edward Smeloff. August 1989.

W. Marcus, **Evaluation of the Avoided Costs of the Nova Scotia Power Corporation.** Prepared for the Nova Scotia Power Corporation and the Small Power Producers Association of Nova Scotia. March 1989.

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CPUC App. 11-06-007. Revenue Allocation and Rate Design for Southern California Edison Company (SCE). February 2012. For TURN..

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CPUC Applications 10-12-005 and 10-12-006. Policy and Revenue Requirements Issues in Southern California Gas Company's (SoCal's) and San Diego Gas and Electric Company's (SDG&E's) 2012 Test Year General Rate Cases. September 2011. For TURN for SoCal and Utility Consumers Action Network (UCAN) for SDG&E.

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CPUC Application 10-11-015. Policy and Revenue Requirements Issues in SCE's 2011 Test Year General Rate Case. June 2011. For TURN.

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AUC Application 1578571. Business Risk of Alberta Utilities. . March 2009. For the Alberta UCA.

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CPUC App. 07-11-012. Revenue Requirement Issues for SCE. April 2008. For TURN.

PUCN Docket 07-12005. Marginal Cost and Rate Design of Sierra. April 2008. For Nevada BCP.

Arkansas PSC Docket 06-152-U Phase IIB. Capacity Acquisition Rider for the Ouachita Plant of EAI. October 2007. For the Arkansas AG.

CPUC App. 07-07-026. Policy Analysis and Cost-Effectiveness Evaluation of SCE's Advanced Metering Infrastructure Program. January 2008. For TURN.

PUCN Docket 07-09016. Allocation of Gas Pipeline Charges between Sierra's Gas and Electric Departments. December 2007. For Nevada BCP.

Alberta Energy and Utilities Board (Alberta EUB). Application 1512342. Return Margin for Regulated Retail Electric Service provided by Epcor Energy Services. November 2007. For the Alberta UCA.

Washington Utilities and Transportation Commission. Docket Nos. UE-070804/UG-070805. Rate of Return and Revenue Requirement Issues for Avista Energy. October 2007. For Washington Public Counsel. (case settled)

Arkansas PSC Docket 07-129-U. Annual Earnings Review Tariff for EAI. October 2007. For the Arkansas AG.

Arkansas PSC Docket 06-152-U Phase IIA. EAI's Proposed Capacity Acquisition Rider. October 2007. For the Arkansas AG.

Arkansas PSC Docket 07-026-U. Revenue Requirement, Cost of Service, and Residential Rate Design for Arkansas Oklahoma Gas Corporation (AOG). September 2007. For the Arkansas AG. (case settled)

CPUC App. 07-01-041. Marginal Cost and Revenue Allocation for SDG&E. August 2007. For UCAN. (case settled)

CPUC App. 07-05-003 et al. Pension and Decommissioning Fund Returns as Related to Cost of Capital of California Energy Utilities. August 2007. For Aglet Consumer Alliance (Aglet), TURN, and UCAN.

Arkansas PSC Docket 06-161-U. Revenue Requirement and Cost of Service for Centerpoint Arkla. July 2007. For the Arkansas AG. (case settled)

CPUC App. 06-12-009/010. Revenue Requirements Issues for SoCal Gas and SDG&E. July 2007. For TURN (SoCal Gas) and UCAN (SDG&E). (SoCal Gas portion of case settled)

Maryland PSC Case No. 9104. Cost of Service, Revenue Allocation, and Service Quality issues for Washington Gas Light Company (WGL). July 2007. For Maryland Office of People's Counsel (OPC).

CPUC Rulemaking 06-04-010. Inappropriateness of Avoided Supply-Side Equity Returns as the Basis for Energy Efficiency Incentives. May 2007. For TURN.

Alberta EUB. Application 1492697. Return Margin for Regulated Retail Gas Service provided by Direct Energy Regulated Services. April 2007. For the Alberta UCA.

Alberta Beverage Control Management Board Hearing Review Panel. Return Margin for Bottle Recycling Depots. For Canada's National Brewers. March 2007.

Arkansas PSC Docket 06-124-U. Revenue Requirement and Cost of Service, for Arkansas Western Gas Company (AWG). February 2007. For the Arkansas AG (case settled).

Arkansas PSC Docket 06-101-U. Revenue Requirement, Cost of Service, and Residential Rate Design for EAI. February 2007. For the Arkansas AG.

Alberta EUB. Application 1468565. Policy Testimony Regarding the Establishment of a Uniform System of Accounts for Alberta Electric Utilities. November 2006. For the Alberta Federation of REAs Ltd and Alberta Association of Municipal Districts and Counties (REA/AAMDC), CCA, and PICA.

CPUC App. 06-03-005. Marginal Cost and Class Revenue Allocation for PG&E. October. 2006. For TURN (case settled).

PUCN. Docket 06-06007. Special Contract to Extend Service from Nevada Power to MGM Mirage Project. October 2006. For Nevada BCP.

Arkansas PSC Docket 06-070-U. Revenue Requirement, Cost of Service, and Residential Rate Design for OG&E. October 2006. For the Arkansas AG. (case settled)

CPUC App. 05-03-015. Value of Demand Response and Policy Issues Associated with SDG&E's Proposed Automatic Metering Infrastructure Program. August 2006. For UCAN.

CPUC App. 06-04-012. Ratemaking and Performance Requirements for Two Proposed PG&E Powerplants. August 2006. For TURN.

(PUCN Docket 06-05007. Inquiry on Electric Marginal Cost Methods. July and October 2006. For Nevada BCP (formal comments).

Alberta EUB. Applications 1455025 and 1457764. Return Margin for Regulated Retail Electric Service provided by Direct Energy Regulated Services and Enmax Energy Services. July 2006. For Alberta UCA and several other organizations representing Alberta consumers.

CPUC App. 05-12-005. Revenue Requirements for PG&E's Electric Generation and Electric and Gas Distribution Activities. April. 2006. For TURN.

Alberta EUB. Application 1434992. Allocation of Transmission Costs of Fortis Alberta, Inc. to Customer Classes. April 2006. For REA/AAMDC.

Arkansas PSC Docket 06-028-R. Principles for Integrated Resource Planning. April 2006. For the Arkansas AG. (formal opening and reply comments, prepared jointly with C.K. Mitchell)

PUCN. Docket 05-10003/10005. Electric and Gas Cost of Service and Residential Rate Design for Sierra. February 2006. For Nevada BCP.

CPUC App. 05-05-023. Marginal Cost and Revenue Allocation of SCE. January 2006. For TURN. (case settled)

CPUC App. 05-06-028. Value of Demand Response in PG&E's Advanced Metering Infrastructure (AMI) Program. January 2006. For TURN.

CPUC App. 05-06-028. Impact of Pending Municipal Annexation Proposal in Yolo County on PG&E's AMI Program. January 2006 (deployment) and June 2005 (pre-deployment). For Yolo County and cities of Davis, West Sacramento, and Woodland.

CPUC App. 05-06-018. Revenue Requirements, Marginal Cost, Revenue Allocation, and Residential Rate Design for Sierra's California Operations. November-December 2005. For TURN (two separate pieces of testimony; case settled)

Arkansas PSC Docket 05-111-P. AWG's Proposed Weatherization Program. November 2005. For the Arkansas AG.

CPUC Rulemakings 04-04-025 and 04-04-003. Avoided Cost Policy for Qualifying Facilities. September 2005. For TURN.

Arkansas PSC Docket 05-006-U. Revenue Requirement, Cost of Service, and Residential Rate Design for AOG. August 2005. For the Arkansas AG.

Arkansas PSC Docket 04-176-U. Revenue Requirement, Cost of Service, and Residential Rate Design for AWG. July 2005. For the Arkansas AG.

Arkansas PSC Docket 04-121-U. Revenue Requirement, Cost of Service, and Residential Rate Design for Centerpoint Arkla. May 2005. For the Arkansas AG.

Maryland PSC Case No. 8990. Testimony Supporting Settlement on Interruptible Rate Design, Revenue Normalization Mechanism and Future Residential Rate Design for WGL. May 2005. For Maryland OPC.

CPUC App. 04-12-014. Revenue Requirements for SCE. May 2005. For TURN.

Arkansas PSC Docket 04-141-U. Revenue Requirements, Electric Heat Promotion Policy, and Rate Design for Arkansas Electric Co-operative Corp. March 2005. For the Arkansas AG.

CPUC App. 04-06-024. Electric Marginal Cost and Revenue Allocation for PG&E. March 2005. For TURN (case settled).

CPUC App. 04-11-003. Revenue Requirement Settlement for SDG&E's Palomar Combined Cycle Plant. March 2005. For TURN (joint testimony with SDG&E and Office of Ratepayer Advocates' witnesses)

CPUC App. 04-03-021. Gas Marginal Cost and Residential Rate Design for PG&E. January 2005. For TURN. (rate design issues settled)

CPUC App. 04-02-026. Cost-Effectiveness Analysis of Scenarios for Southern California Edison Company's (SCE's) San Onofre Steam Generator Replacement Project. December 2004. For TURN.

Arkansas PSC Docket 04-100-U. Revenue Requirement, Cost of Service, and Residential Rate Design for Empire. November 2004. For the Arkansas AG. (case settled)

PUCN. Docket 04-5021. Consolidation of Sierra's Liquefied Propane Gas Rates with its Natural Gas Rates. August 2004. For Nevada BCP.

Nevada PUC. Docket 01-1042. Divestiture of Utility Generating Plants. April 2001. For Nevada BCP. (testimony given orally).

CPUC App. 00-07-001. Marginal Cost and Revenue Allocation for Sierra's California System. February 2001. For TURN. (case settled)

CPUC App. 00-11-038 et al. Utility Financial Issues Related to Emergency Rate Relief. February 2001. For TURN.

CPUC App. 00-11-038 et al. Rate Design for Emergency Rate Relief and Ratemaking for Diablo Canyon Nuclear Plant. December 2000. For TURN.

Arkansas PSC. Rate unbundling testimony for 12 cooperatives where cases settled before hearing. (Cases not settled listed below.) For Arkansas AG. January-December 2000. Details available on request.

CPUC App. 00-05-024. Benefits of Retaining the Palo Verde and Four Corners Powerplants in Regulated Service. November 2000. For TURN and the CPUC's Office of Ratepayer Advocates (ORA). (case rendered moot by legislation)

Alberta EUB. Docket 2000257. Return Margin and Marketing Expenses under Epcor's Regulated Retail Rate Obligation Tariff. October 2000. For the FIRM Group. (case settled)

Alberta EUB Docket 2000136. Cost of Service and Rate Design for Atco Electric Distribution Service. October 2000. For REA/AAMDC.

Alberta EUB Docket 2000258. Testimony on UNCA Distribution Performance-Based Ratemaking (PBR) Proposal. (1) Economic Aspects (Indexing and Sharing). (2) Business Risk of Distribution Wires Business (also filed in Docket 2000136), and (3) Cost of Service. October 2000. For FIRM Group, except cost of service for REA/AAMDC. (case settled)

Arkansas PSC Docket 99-263-U. Rate Unbundling for Southwest Arkansas Electric Cooperative Corporation (ECC). October 2000. For the Arkansas AG. (three-party settlement opposed by industrial intervenor)

CPUC App. 99-03-014. PG&E's Marginal Electric Distribution Cost, Revenue Allocation, and Rate Design. September 2000. For TURN. (case dismissed due to energy crisis)

Arkansas PSC Docket 00-190-U. Consumer Impacts of Electric Utility Restructuring. September 2000. For the Arkansas AG.

CPUC App. 00-04-002. PG&E's Gas Marginal Costs. September 2000. For TURN.

Alberta EUB Docket 2000135. Cost of Service and Rate Design for ESBI Alberta Ltd. Transmission Service. August 2000. For the FIRM Group.

Arkansas PSC Docket 99-249-U. Rate Unbundling for EAI. July 2000. For the Arkansas AG. (settled except rate design)

CPUC App. 99-09-053. Projection of Future Revenue Sharing under Settlement allowing Transfer of PG&E's Hydroelectric Plants to an Affiliate with Revenue Sharing between the Affiliate and Ratepayers. August 2000. For TURN. (testimony never presented, rendered moot by legislation)

Alberta EUB. 2001 GTA for the Transmission Administrator. Rate Design for Reserves and Contribution Policy. August 2000. For the FIRM Group.

Alberta EUB. Ratemaking for Investment Credits for TransAlta's Industrial Customers. June 2000. For the FIRM Group. (joint testimony with J. Nahigian)

California PUC App. 99-09-053. Projection of Valuation and Future Ratemaking Results for Retention of PG&E's Hydroelectric Plants within the Utility. June 2000. For TURN and ORA.

California PUC App. 99-09-006. Ratemaking for Decommissioning of PG&E's Hunters Point Power Plant. June 2000. For City and County of San Francisco.

Wisconsin PSC Docket No. 6630-UR-111. Electric and Gas Cost of Service and Rate Design of Wisconsin Electric Power Company. March, 2000. For the Wisconsin Citizens Utility Board.

CPUC App. 04-01-009. Cost-Effectiveness Analysis of Scenarios for PG&E's Diablo Canyon Steam Generator Replacement Project. August 2004. For TURN.

Northwest Territories PUB. Evaluation of the Snare-Yellowknife Reliability Criteria of the Northwest Territories Power Corporation. July 2004. For the City of Yellowknife (joint testimony with R. L. Bruggeman).

Arkansas PSC Docket 01-041-U. EAI Request for Transition Cost Recovery. April 2004. For the Arkansas AG.

CPUC Apps. 02-12-027/02-12-028, Phase 2. Economic Evaluation of Performance Based Ratemaking (PBR) Framework for Sempra Energy Utilities. April 2004. For TURN.

PUCN Docket 03-12002. Marginal Cost and Rate Design for Sierra. March 2004. For Nevada BCP (case settled)

Arkansas PSC Docket 02-179-U. Gas Procurement Practices of AWG. March 2004. For the Arkansas AG.

City and County of San Francisco vs. Turlock Irrigation District, Non-Binding Arbitration (before Panelists Hanschen, O'Neill and Power). Regulatory Decisions that Led to the California Energy Crisis. March 2004. For the City and County of San Francisco. (case settled after appearance)

PUCN Docket 03-10001. Marginal Cost and Rate Design for NPC. January 2004. For Nevada BCP.

CPUC Rulemaking 01-10-024 (SDG&E Procurement Phase). Comparison of Costs for Palomar project and Otay Mesa, Mountainview, and Sempra DWR Contracts. January 2004. For TURN.

Alberta EUB. Dockets 1306818 and 1306819. Return Margin for Enmax Energy Corporation's Regulated Retail Tariff and Use of Equity Contributions from Ratepayers to Fund Enmax Power Corporation's Distribution Plant. January 2004. For Enmax Consumer Group (five groups of Enmax customers).

PUCN Dockets 03-6040 and 03-6041. Standby Rate Design for NPC and Sierra. November 2003. For Nevada BCP. (case settled)

CPUC Application 03-07-032. Review of SCE's Mountainview Powerplant. September 2003. For TURN.

CPUC Apps. 02-12-027/02-12-028. Revenue Requirement for SDG&E and Southern California Gas (SoCal Gas). September 2003. For TURN and UCAN.

Alberta EUB Docket 1271597 (Generic Cost of Capital). Business Risk of Alberta Utilities. July 2003. For the Consumer Group (nine Alberta electric and gas consumer groups). (joint testimony with Robert Liddle)

Maryland PSC Case No. 8959. Embedded and Marginal Cost of Service, and Review of Tariffed Service Charges for Washington Gas Light (WGL). June 2003. For Maryland OPC.

CPUC App. 02-11-017. Revenue Requirement for PG&E's Electric Generation and Electric and Gas Distribution Operations. May 2003. For TURN. (case settled after appearance)

Arkansas PSC Docket 02-227-U. Revenue Requirement, Cost of Service, and Residential Rate Design for AWG. May 2003. For the Arkansas AG.

CPUC App. 03-07-032. Review of the Future of SCE's Mohave Coal Plant. April and October 2003, June 2004. For TURN.

CPUC Rulemaking 01-10-024. Renewable Portfolio Standard Implementation. April 2003. For TURN.

California Energy Commission (CEC) Integrated Electricity Policy Report. Electric Resource Costs. February 2003. For TURN (formal comment)

CPUC App. 01-10-011. Revenue Requirement and Electric Generation Demand Forecast for PG&E's Gas Transmission Rates. February 2003. For TURN. (case settled)

Alberta EUB Docket 1275494. Business Risk of Atco Electric. February 2003. For the FIRM Group (Alberta Federation of REAs and Alberta Assn. of Municipal Districts and Counties (REA/AAMDC), Alberta Irrigation Projects Assn., CCA, Alberta Urban Municipalities Assn., and PICA).

CPUC App. 02-05-004. Revenue Requirements and Resource Planning for SCE. December, 2002. For TURN.

Oklahoma Corporation Commission Cause No. PUD 200200166. Revenue Requirements, Cost of Service, and Residential Rate Design for Reliant Arkla Gas. October 2002. For the Oklahoma AG. (case settled)

Arkansas PSC Docket 02-024-U. Revenue Requirements, Cost of Service, and Residential Rate Design for AOG. August 2002. For the Arkansas AG.

CPUC Rulemaking 01-05-047. Demographic Analysis of California Residential Users and Proposals for Surcharge Relief for Lower-Middle-Income customers. August 2002. For TURN.

Alberta EUB Docket 1250392. Cost of Service for Aquila Networks Canada (ANCA). July 2002 For REA/AAMDC. (joint testimony with Arnie Reimer)

Maryland PSC Case No. 8920. Embedded and Marginal Cost of Service, and Analysis of Tariffed Service Charges for WGL. June 2002. For Maryland OPC. (case settled)

CPUC Rulemaking 02-01-011. Exit Fees for Direct Access Customers. June 2002. For TURN.

CPUC Rulemaking 01-10-024. Procurement of Renewable Resources by California Investor-Owned Utilities. May 2002. For TURN.

CPUC App. 00-10-045 et al. Ratemaking for Recovery of AB 265 Balances from SDG&E Customers. May, 2002. For UCAN.

Arkansas PSC Docket 01-243-U. Revenue Requirement, Cost of Service, and Residential Rate Design for Reliant Arkla Gas. May 2002. For the Arkansas AG. (case settled)

PUCN Docket 01-11030. Cost of Service and Rate Design for Sierra. March 2002. For Nevada BCP.

Alberta EUB Docket 1250392. Business Risk of ANCA. March 2002. For the FIRM Group. (this part of case settled)

Alberta EUB Docket 1248859. Transmission Congestion Management Policy. For the FIRM Group. March 2002 (joint testimony with Eric Woychik)

PUCN Docket 01-10001. Cost of Service and Rate Design for NPC. January 2002. For Nevada BCP.

Arkansas PSC Docket 01-184U. Ratemaking for Ice Storm Damage for Entergy Arkansas, Inc., December 2001. For the Arkansas AG. (case settled)

Alberta EUB Docket 1244140. Article 24 Module. Payments to Generators for Transmission Must Run Services. For the FIRM Group. November 2001 (joint testimony with Eric Woychik)

PUCN Docket 01-7023. Revenue Requirement, Cost of Service, and Rate Design of Southwest Gas. November 2001. For Nevada AFL-CIO. (revenue requirements settled)

PUCN Docket 01-4047. Southwest Gas' Rules for Switching between Transportation and Sales Service. October 2001. For Nevada BCP.

Arkansas PSC Docket 00-190-U (second phase). Consumer Impacts of Electric Utility Restructuring. September 2001. For the Arkansas AG.

CPUC App. 00-11-038 et al. Department of Water Resources' Revenue Requirement for Service to Utility Customers. August 2001. For TURN (formal comment)

Arizona Commerce Commission, Dockets G-01551A-00-0309 And G-01551A-00-0127. Cost of Service and Rate Design for Southwest Gas. July 2001. For Complainants (Union Club of Arizona, Public Interest Research Group, et al.)

CPUC App. 00-11-038 et al. Ratemaking for Utility Retained Generation. July 2001. For TURN.

Arkansas PSC. Rate Unbundling testimony in 2001 for four co-ops and three investor-owned utilities, where cases were settled without hearing. January-June 2001. For the Arkansas AG. Details available on request.

CPUC App. 00-11-038 et al. Tiered Rate Design for Emergency Rate Surcharge. April 2001. For TURN.

New Jersey Board of Public Utilities (BPU). Docket No. EX99090676. Competition and Customer Account Services. March 2000. For the New Jersey Division of the Ratepayer Advocate. (case settled)

CPUC App. 91-11-024 (1999 Rate Design Window). Electric Marginal Cost and Rate Design of SDG&E. March 2000. For UCAN.

CPUC App. 99-03-013 et al. Policy Analysis of Revenue Cycle Services and Energy Service Provider Fees and Charges. February 2000. For TURN.

PUCN Docket 99-7035. Cost Allocation in NPC's Deferred Energy Case. January 2000. For Nevada BCP.

Arkansas PSC. Docket 99-238-U. Unbundled Rates for the Ouachita Electric Cooperative Corp. December 1999. For the Arkansas AG. (case settled)

PUCN Docket 99-4005 Phase 2. Unbundled Distribution Revenue Requirement, Marginal Cost and Rate Design of NPC. November 1999. For Nevada BCP.

Maryland PSC. Case No. 8820. Affiliate Transaction Rules. October 1999. For Maryland OPC. (formal comments)

PUCN. Docket 99-4001 Phase 2. Unbundled Distribution Revenue Requirement, Marginal Costs and Rate Design of Sierra. October 1999. For Nevada BCP.

CPUC App. 99-04-024. SCE's 1997-98 Capital Additions. October 1999. For TURN.

Alberta EUB. Review of Power Purchase Agreements developed by the Independent Assessment Team. Need for Sharing or Reopeners in 20-Year Indexed Generation Contracts. September 1999. For the Consortium (of over 10 Alberta consumer groups and municipalities). (Joint Testimony with Mark Drazen)

PUCN Docket 99-4005 Phase 1. Unbundling Principles and Revenue Requirement Issues of NPC. August, 1999. For Nevada BCP.

PUCN Docket 99-4001 Phase 1. Unbundling Principles and Revenue Requirement Issues for Sierra. July 1999. For Nevada BCP.

CPUC App. 99-01-016 et al. Treatment of Securitized Revenue Bonds and Revenue Allocation Issues in Post Transition Ratemaking, Phase II. July 1999. For TURN and UCAN.

Alberta EUB. 1999-2000 GTA for the Transmission Administrator. Transmission Rate Design for Reserves. July, 1999. For the FIRM Group.

Arkansas PSC. Docket 98-339-U. Testimony in Support of the Cost of Service Settlement for Southwestern Electric Power Company (SWEPCO). July, 1999. For the Arkansas AG.

CPUC App. 99-01-016 et al. Revenue Allocation issues in Post Transition Ratemaking. July, 1999. For TURN.

Hawaii PUC. Docket 98-0013. Reasonableness of Contract Between Hawaii Electric Light Company (HELCO) and Encogen Hawaii, L.P. March, 1999. For Encogen Hawaii, L.P. (case settled)

CPUC App. 98-10-012 and 98-10-031. Marginal Cost and Rate Design for SoCal Gas and Electric Generation Rate Policy for Sempra Energy Gas Utilities. March 1999. For TURN and UCAN.

Alberta EUB. 1999-2000 General Tariff Applications. Differentiation of Risk among Regulated Functions of the Alberta Utilities. February, 1999. For the FIRM Group

Alberta EUB. Alberta Power Ltd. (APL) 1998 General Tariff Application Phase 2. Cost of Service and Rate Design. November, 1998. Generation and transmission costs for the FIRM Group, distribution costs and farm rate design for REA/AAMDC.

Alberta EUB. TransAlta Utilities (TAU) 1998 General Tariff Application Phase 2. October, 1998. Cost of Service and Rate Design. For the FIRM Group.

PUCN Docket No. 98-9038 and 98-8034. Metering and Billing as Potentially Competitive Services for NPC and Sierra. September, 1998. For Nevada BCP. (identical testimony filed in each docket)

Maryland PSC. Case No. 8791. Jurisdictional Allocation, Cost of Service and Rate Design of Potomac Electric Power Company. August, 1998. For Maryland OPC.

CPUC OII 98-09-007. Report on Tree Trimming Expenditures of PG&E 1987-1997. Direct Testimony July, 1998, rebuttal testimony March, 1999. For CPUC Consumer Services Division.

CPUC App. 97-12-020. Expenses and Capital Projects of PG&E. July, 1998. For TURN.

CPUC App. 98-01-016. SDG&E's Cost of Service and Performance Based Ratemaking. July, 1998. For UCAN.

CPUC App. 98-04-012. Transfer of the El Dorado Hydro Project from PG&E to the El Dorado Irrigation District. For El Dorado Irrigation District.

CPUC App. 96-12-009 et al. Revenue Cycle Service Unbundling. April, 1998. For TURN and UCAN.

CPUC App. 97-10-014 et al. Generation Capital Additions for PG&E and SCE. (PG&E settled) February 1998. For TURN.

PUCN. Dockets 97-11018 and 97-11028. Cost Unbundling of NPC and Sierra. February 1998 and December 1997. For Nevada BCP.

Virginia Corporation Commission. Case No. PUE960296. Stranded Costs, Regulatory Assets, and Alternative Ratemaking for Virginia Power. December, 1997. (part settled; part moved to future docket) For Southern Environmental Law Center.

CPUC App. 97-03-002. Gas Marginal Cost and Rate Design for PG&E. December, 1997. For TURN.

New Jersey BPU Docket EO97070456. Stranded Costs of Atlantic City Electric Company. December, 1997. For New Jersey Public Interest Intervenors (NJPII)

New Jersey BPU Docket EO97070462. Stranded Costs of Public Service Electric and Gas Company. November, 1997. For NJPII.

New Jersey BPU Docket EO 97070459. Stranded Costs of General Public Utilities. November, 1997. For NJPII.

Nevada PUC. Docket 97-8001. Structure for Unbundling Costs of Nevada Electric Utilities. September, 1997. For Nevada BCP.

CPUC App. 96-07-018. Impact of Closure of PG&E's El Dorado Hydro Project on PG&E's Revenue Requirement. September, 1997. For El Dorado Irrigation District.

CPUC App. 96-10-038. Economic and Affiliate Transaction Issues in the SoCal Gas-SDG&E merger. August, 1997. For TURN and UCAN.

CPUC App. 96-08-001 et al. Competitive Transition Charges for the California Utilities. May, 1997. For TURN and UCAN.

Nevada County Municipal Court. People v. Pacific Gas and Electric Company (PG&E) Authorized and Actual Tree Trimming Spending; PG&E Profits. April 1997. (testimony given orally) For Nevada County District Attorney.

CPUC App. 96-12-009. Unbundling Rates for the California Utilities. February 1997. For TURN and UCAN.

Nevada PSC. Southwest Gas Advice No. 346. Cost Allocation for Purchased Gas Adjustment Case. February 1997. For Nevada Office of Consumer Advocate (OCA – later renamed BCP)

PUCT Project No. 16536. Unbundling Electric Distribution Functions. January, 1997. For Environmental Defense. (formal comment)

CPUC App. 95-06-002. SoCal Gas' Performance-Based Ratemaking (PBR) Proposal: Indexing, Sharing, Residential Rate Design. October 1996. For TURN and California Department of General Services (DGS).

Washington Utilities and Transportation Commission. Docket UE-960195. Stranded Cost and Other Issues Affecting Merger of Puget Sound Power and Light with Washington Natural Gas. September 1996. For Washington Public Counsel.

CPUC App. 96-03-054. Ratemaking for PG&E's Diablo Canyon Nuclear Plant. September 1996. For TURN.

CEC Docket 95-ER-96. Rate Design Issues in Electric Restructuring. August 1996. For TURN.

CPUC App. 96-02-056. Ratemaking for SCE Share of the Palo Verde Nuclear Plant. August 1996. For TURN.

Alberta EUB. 1996 General Rate Application. Unbundling the Cost of Capital in Alberta's Restructuring. August 1996. For the FIRM Group.

CPUC App. 96-03-031. Marginal Cost and Residential Rate Design of SoCal Gas. July 1996. For TURN.

Northwest Territories PUB. Northwest Territories Power Corporation GRA. Evaluation of Reliability Criteria and the Snare Cascades Hydroelectric Project. May 1996. (case settled) For City of Yellowknife.

PUCT Docket 15000. Generation Market Structure. March 1996. For Environmental Defense (formal comment)

CPUC App. 94-12-005 Phase 2. Marginal Cost, Revenue Allocation, and Residential Rate Design of PG&E. December 1995. For TURN.

Bonneville Power Administration (BPA) 1996 Wholesale Power and Transmission Rate Case. Design of Ancillary Service Rates. September 1995. For Renewable Northwest Project.

CPUC App. 95-05-023 et al. Treatment of Customer Deposits in Utility Capital Structures. August 1995. For TURN.

U.S. District Court, San Diego. James v. Southern California Edison. Case No. 94-1085-J. Ratemaking for Potential Outage for San Onofre 3 before Commercial Operation in 1984. August 1995 (oral testimony). For Glenn James.

CPUC App. 93-12-025. Marginal Cost, Revenue Allocation, and Rate Design for SCE. June 1995. For TURN.

Ontario Energy Board (OEB) Docket HR 23. Cost Allocation and Backup Power Rate Design of Ontario Hydro. June 1995. For Independent Power Society of Ontario (IPPSO).

CPUC App. 94-11-015. Gas Load Forecast and Marginal Cost of PG&E. June 1995. For TURN.

OEB Docket E.B.R.O. 490. Cost Allocation for Ancillary Business Activities of Consumers Gas Company. May 1995. For HVAC Coalition.

CPUC App. 94-12-005. Revenue Requirement Issues for PG&E. May 1995. For TURN.

CPUC App. 94-12-005. PG&E's Customer Service, Phone Center and Disaster Planning. April 1995. For TURN.

British Columbia Utilities Commission. Electric Market Restructuring. April, 1995. For Columbia River Treaty Assn. (client withdrew prior to hearing)

CPUC App. 93-12-029. Evaluation of the Proposed Settlement of SCE's 1995 Test Year Rate Case. February, 1995. For TURN.

CPUC App. 94-10-023. Billing Determinants and Revenue Allocation for SDG&E. January, 1995. For UCAN.

Connecticut Department of Public Utility Control (DPUC). App. 94-04-01. Cost-Effectiveness and Alternative Ratemaking for Connecticut Yankee Nuclear Plant. December, 1994. For Connecticut Cogeneration Coalition and Connecticut Small Power Producers Assn. (CTCC/CSPPA).

OEB Docket E.L.B.R.G. 36. Structure and Governance of Ontario Hydro International, Inc. November, 1994. For IPPSO.

Alberta PUB. APL Phase II GRA. Evaluation of APL's Cost of Service Study. September, 1994. For REA/AAMDC.

CPUC App. 93-12-029. Evaluation of PBR for SCE. September, 1994. For TURN, DGS, EDF, Natural Resources Defense Council and Center for Energy Efficiency and Renewable Technologies.

Hawaii PUC. Docket No. 94-0079. Avoided Cost for HELCO and Price Offer Proposed by Enserch Development Corp (EDC) for Combined Cycle Cogeneration. September, 1994. For EDC.

CPUC App. 93-09-006. Marginal Cost, Billing Determinants, and Residential Rate Design for SoCal Gas. June, 1994. For TURN.

Nevada PSC Docket 93-11045. Marginal Cost and Revenue Allocation for NPC. June, 1994. (case settled) For Nevada OCA.

OEB Docket HR 22. Integrated Resource Planning at Ontario Hydro; Backup Power and Experimental Rate Design. May-June 1994. For IPPSO.

CPUC App. 93-12-025. SCE's Revenue Requirements.. April, 1994. For TURN.

CPUC App. 93-12-025. SCE's Demand-Side Management Programs. April, 1994. For DGS.

Chaminade Ltd. v. Owl Companies. American Arbitration Assn. History of PG&E Rate Design in the 1980s; Cost to Chaminade of Electricity and Fuel with and without Cogeneration. April, 1994. For Owl Companies. (oral testimony)

Hawaii PUC. Docket No. 7623. Timing of Power Need and Cost of New Combined Cycle Generation for HELCO. March, 1994. For EDC.

CEC Docket 93-ER-94. Northwest Power Availability. February, 1994. For the Independent Energy Producers Assn. (IEP).

Manitoba PUB. Manitoba Hydro 1994/95 GRA. Evaluation of Diesel Zone Costs and Rates. February, 1994. For Government of Canada, Department of Justice.

CPUC Application 92-10-017. SDG&E's PBR Base Rate Proposal. December 1993. For UCAN.

Alberta PUB. 1994 EEMA Forecast. Limits on Interruptible Loads; Energy Constraints in Alberta Utility System Planning. September 1993. For REA/AAMDC.

Connecticut DPUC. Docket 93-04-001. Fossil Plant Retirement Economics for Northeast Utilities (NU). August, 1993. For CTCC/CRRA.

CPUC App. 93-05-008 et al.. Evaluation of Proposal to Increase Equity Capital Ratio of Electric Utilities Due to Alleged Purchased Power Risk. August, 1993. For TURN.

OEB E.B.R.O. 483/484. DSM Program Design for Centra Gas Ontario. August, 1993. For Ontario Green Energy Coalition (GEC). (case settled)

OEB E.B.R.O. 485. DSM Program Design for Consumers Gas. August, 1993. For GEC. (case settled)

Yukon Utilities Board. 1993/94 General Rate Application of Yukon Energy Corporation/Yukon Electric Company Limited (YEC/YECL). Revenue Requirements; Rebuttal Testimony on Cost of Service. June 1993. (principal author with J. Helmich, M. Davies, and B. Walt) For City of Whitehorse.

CPUC App. 92-09-040. SDG&E's Fuel Budget Issues. May, 1993. (case settled) For UCAN.

CPUC App. 92-11-017. SoCal Gas' Low Income Conservation Programs. March, 1993. For California-Nevada Community Action Assn. (Cal-Neva) and The East Los Angeles Community Union .

CPUC App. 92-10-017. SDG&E's Performance Based Ratemaking for Generation and Dispatch. March, 1993. (case settled) For UCAN.

Hawaii PUC. Docket No. 7310. Avoided Cost Methods for Hawaiian Electric (HECO), HELCO, and Maui Electric (MECO). Direct, February, 1993, rebuttal May, 1993. For Hawaiian Sugar Planters Assn. (HSPA) and Wailuku River Hydro Company.

Ontario Environmental Assessment Board (EAB). Ontario Hydro Demand/Supply Plan (DSP). Alternative Supply Futures for the Ontario Hydro System. January, 1993. (utility withdrew filing) For IPPSO.

Maryland PSC. Case No. 8469. Cost of Service and Rate Design of Potomac Edison Company. November, 1992. For Maryland OPC.

Yukon Utilities Board. Capital Budget of YEC/YECL. Demand Forecasting, DSM Program Design and Evaluation, Other Supply Issues. October, 1992. For City of Whitehorse.

Ontario EAB. Ontario Hydro DSP. Utility Planning Concepts and Tools; Reliability of Non-Utility Generation; Uncertain Economics of Continued Operation of Bruce A Nuclear Station. September-October, 1992. For IPPSO.

CPUC Case 91-11-029 et al. Mobile Home Park Submetering Discounts and Obligation to Charge Park Residents Tariff Rates without Capital Surcharges. September, 1992. For Golden State Mobilehome Owners League. (formal comment)

CPUC App. 91-11-024. Marginal Cost and Rate Design for SDG&E. September, 1992. For UCAN. (case settled except residential rate design)

Connecticut DPUC Docket 92-04-001. Avoided Costs and Resource Plans, and Cost of Compliance with Clean Air Act Regulations of NU and United Illuminating (UI). August, 1992. For CTCC/CRRA.

CEC Docket 90-ER-92. PG&E's Required Reserve Margin and Need for Power. July, 1992. For IEP. (principal author)

Conawapa Environmental Review Panel (Joint Canada/Manitoba EAB). Electricity Planning Scenarios for Scoping the Analysis of Conawapa Dam. July, 1992. For Sierra Club of Western Canada and other environmental intervenors.

New Mexico PSC Case No. 2426. Cost of Service, Residential Demand Charges and Rate Design for Otero County Electric Co-operative. June, 1992. For the Alto Group of residential customers. (case settled)

OEB Docket HR 21. Uncertainties in Economics of Rehabilitating and Retubing Ontario Hydro's Bruce A Nuclear Plant. June, 1992. For IPPSO.

Alberta PUB. TAU 1991-92 GRA Phase II. Cost of Service, Allocation of Demand Costs and EEMA Transfer Payments to Customer Classes. April, 1992. For REA/AAMDC.

CPUC App. 91-11-036. Marginal Cost for PG&E. April, 1992. For TURN.

Arbitration before the Hon. Edward Howell. Attorney Fee Awards in Class Action Lawsuits. April, 1992. (oral testimony) For Daniel Meek and Linda Williams.

OEB Docket E.B.O. 169. Gas Utility Integrated Resource Planning. February, 1992. For GEC.

CEC Docket 90-ER-92. Methods to Evaluate Resource Cost-Effectiveness; Pacific Northwest Environmental Exchanges. February, 1992. For IEP.

CPUC App. 88-12-005. Residential Rate Design for PG&E. February, 1992. For TURN.

CEC Docket 90-ER-92. Availability of Northwest and Southwest Power to California; Nuclear Plant Performance. (principal author with J. Nahigian) For IEP.

CPUC App. 91-09-059. Revenue Allocation and Residential Rate Design for SDG&E. January, 1992. For UCAN. (case settled)

CEC Docket 90-ER-92. Valuation of Environmental Externalities. November, 1991. For IEP.

CPUC App. 90-12-018. Revenue Allocation and Residential and Interruptible Rate Design for SCE. October, 1991. For TURN.

Alberta PUB. 1990 EEMA Adjustment. Classifying Costs to Demand and Energy and Allocation of Demand Costs to Customer Classes. August, 1991. For REA/AAMDC.

Public Utilities Commission of Ohio. Case No. 91-372-EL-UNC. Avoided Cost and Contract Terms between Evendale Generating Facility and Cincinnati Gas and Electric Company. August, 1991. (case dismissed) For PG&E-Bechtel Generating Company.

Alberta PUB. TAU 1991-92 GRA, Phase I. Conservation Policy and Program Design. July, 1991. For REA/AAMDC.

CPUC App. 91-04-003. PG&E's 1992 DSM Budget. July, 1991. For DGS.

Alberta PUB. APL 1991 GRA, Phase I. Conservation Policy and Program Design. July, 1991. For REA/AAMDC.

CPUC App. 90-12-018. Marginal Cost, Demand-Side Management, Research and Development and Results of Operations for SCE. April, 1991. For TURN.

CPUC App. 88-12-005. Residential Electric Rate Design for PG&E. January, 1991. For TURN.

Alberta PUB. Canadian Western Natural Gas Company GRA Phase II. Wholesale Cost-of-Service and Rate Design. January, 1991. For Gas Alberta and Alberta Federation of Gas Co-Ops.

CPUC App. 90-10-003. SDG&E Fuel Budget and Revenue Allocation. December, 1990. For UCAN. (case settled)

Hawaii PUC. Docket No. 6742. Environmental Externality Benefits and Capacity Value of Wind Generation. November, 1990. For Zond Industries.

CPUC App. 90-08-066 et al. Cost-Effectiveness of the California-Oregon Transmission Project. November, 1990. For IEP.

CPUC App. 90-08-029. PG&E's Gas Demand Forecast. November, 1990. (settled) For TURN.

CPUC App. 90-04-003. PG&E's Electric Revenue Allocation. September, 1990. For TURN.

CPUC App. 90-06-001. Residential Rate Design for SCE. August, 1990. For TURN.

Nevada Public Service Commission. Docket 89-752. Integration of Externalities into Electricity Resource Procurement. July 1990 (co-author with G. Schilberg) For Luz Development and Finance Corp.

Manitoba PUB. Manitoba Hydro Submission in Respect of Major Capital Projects. Manitoba Hydro's Resource Plan, Avoided Costs, Conservation Potential and Export Sale to Ontario. July, 1990. (co-author with I. Goodman) For Sierra Club of Western Canada and other environmental intervenors.

CEC Docket 88-ER-8. Future Resource Plan Issues. July 1990. (co-author with J. Nahigian and G. Schilberg) For IEP.

Connecticut DPUC. Docket 90-04-01. Avoided Costs and Resource Plan of NU. July, 1990. For CTCC/CRRA.

Nova Scotia Board of Public Utilities Commissioners (PUB). Rates for Nova Scotia Power Corporation (NSPC) Purchase from Independent Power Producers. June, 1990. For Small Power Producers of Nova Scotia (SPPANS).

Alberta PUB. TAU 1988-1990 GRA Phase II. Variable Aluminum Smelter Rates; Energy Conservation Policy; Other Cost of Service and Rate Design Issues. May-June, 1990. For REA/AAMDC.

Alberta PUB. APL 1989-1990 GRA Phase II. Cost of Service and Rate Design. May 1990. For REA/AAMDC.

CPUC App. 88-12-035. Savings from the SCE-SDG&E Merger and Spread of Savings to Customer Classes. April, 1990. For UCAN.

CPUC App. 88-12-035. QF Transmission Access and the SCE-SDG&E Merger. April, 1990. For IEP.

National Energy Board of Canada. Hearing Orders No. EH-3-89 and AO-1-EH-3-89. Hydro-Quebec Electricity Exports to New York and Vermont. February 1990. (co-author with I. Goodman) For Grand Council of the Cree of Quebec (Cree).

Hawaii PUC. Docket No. 6432. Avoided Energy Costs of HELCO. February, 1990. For HSPA.

CEC Docket 88-ER-8. Southwest Utilities' Future Generating Resources. January, 1990. For IEP.

Nova Scotia Environmental Control Council. Alternatives to the Point Aconi 1 Coal Plant. January, 1990. For the Ecology Action Centre of Nova Scotia.

CEC Docket 88-ER-8. Valuation of Carbon Dioxide Emissions. January, 1990. (co-author with J. Nahigian, G. Schilberg) For IEP.

CEC Docket 88-ER-8. Revised Demand Forecasts for PG&E and SCE. January, 1990. For IEP.

Vermont Public Service Board. Docket 5330. Hydro-Quebec Contract with Vermont Utilities. December, 1989. (co-author with I. Goodman) For the Cree.

CEC Docket 88-ER-8. Availability of Pacific Northwest Power to California. December, 1989. For IEP.

CPUC App. 89-08-024. Gas Demand Forecast and Residential Gas Rate Design of PG&E. November 1989. For TURN.

Federal Energy Regulatory Commission (FERC) Docket EC89-5-000. QF Transmission Access and the SCE-SDG&E Merger. November, 1989. For IEP and the American Paper Institute.

CEC Docket 88-ER-8. Projected Electricity Use by Computers and Office Equipment. October, 1989. (co-author with G. Schilberg) For IEP.

CPUC App. 89-05-064. SCE's Power Sales Contract with Sacramento Municipal Utility District (SMUD). September 1989. For TURN.

Alberta PUB. TAU 1988-1990 GRA Phase I. (1) Advertising and Public Relations Expenses, (2) Production Cost Modeling of the Alberta Interconnected System. August, 1989. For REA/AAMDC.

CPUC. Informational Hearing on Conservation Policy. Environmental Externalities; Integration of Low-Income Programs into Conservation Bidding. July, 1989. For Cal-Neva.

CPUC App. 88-12-047. SoCal Gas' Low Income Conservation Program. May, 1989. For Cal-Neva.

CPUC App. 88-01-021. Revenue Requirement for Rural Water Company. May, 1989. For WATCHER (a group of Rural customers).

CPUC App. 88-12-005. Residential Rate Design for PG&E. April, 1989. For TURN.

CPUC App. 88-12-005. Marginal Cost and Revenue Allocation for PG&E. April, 1989. For TURN.

CPUC App. 88-12-005. PG&E's Subsidiary and Research and Development Activities. April, 1989. For TURN.

Nova Scotia PUB. NSPC Work Order 33401. Need for and Alternatives to the Point Aconi Coal Plant. March, 1989. (never presented; Government passed legislation removing PUB authority over the plant) For SPPANS.

CPUC App. 88-09-032. PG&E's Cogeneration Gas Rate Design. January, 1989. For DGS.

CEC Docket 87-ER-7. Nuclear Plant Availability, Line Loss Quantification, Out-of-State Power Availability and Cost. October, 1988. For IEP.

Alberta PUB. 1987 EEMA Adjustment. Classification of Generation Costs to Demand and Energy and Allocation of Demand Costs to Customer Classes. September, 1988. For REA/AAMDC.

CPUC OII 88-07-009. Low Income Assistance and Baseline Rate Reform. August, 1988. For Cal-Neva. CPUC App. 88-02-003. Southwest Gas' Low-Income Conservation Program. July, 1988. For Cal-Neva and Project Go.

CPUC App. 88-04-057. 1988-89 Electric Demand Forecast for PG&E. June, 1988. For TURN.

CPUC App. 87-12-003. SDG&E's Marginal Cost and Rate Design. April, 1988. For UCAN.

CPUC App. 87-12-003. SDG&E Revenue Requirement. April, 1988. (depreciation testimony presented; rest settled) For UCAN.

CPUC App. 87-10-021. SoCal Gas' Low Income Conservation Program. April, 1988. For Cal-Neva.

Utah PSC Case No. 86-057-07. Gas Transportation Rates. March 1988. For Utah Council of Independent Power Producers (UCIPP). (case settled)

CEC Docket 87-ER-7. Demand Forecasting Issues. March, 1988. (principal author) For IEP.

Colorado PUC. Case No. 6651. Security Requirements in QF Contracts. March, 1988. (oral testimony) For Cogen Technology, Inc.

Nova Scotia PUB. NSPC Work Order 33141 (Trenton 6 Coal Plant). Project Need, Economics, and Alternatives. December 1987. (principal author with D. Argue) For SPPANS and Black River Hydro.

CEC Docket 87-ER-7. Demand Forecast Issues. October 1987. (principal author with G. Schilberg) For IEP.

Massachusetts Department of Public Utilities (MDPU). Riverside Cogeneration Contract. Avoided Costs of Western Massachusetts Electric Company. October, 1987. For the Wilson Group.

CPUC App. 87-07-007. SDG&E's Marginal Cost and Revenue Allocation September 1987. For UCAN.

CEC and CPUC Docket 87-CEC/PUC-1. Supply-Demand Balance of California Utilities. September, 1987. (co-author with J. Smutny-Jones) For IEP.

Alberta PUB and Energy Resources Conservation Board. Docket 870621. Avoided Cost Methods and Capacity Value of Small Power Production. August, 1987. For Small Power Producers Assn of Alberta.

CPUC OII 86-06-005. Noncore Customer Gas Rate Design. July, 1987. For DGS.

New Mexico PSC Case No. 2044. Economics of El Paso Electric's Arizona Interconnection Project. June, 1987. (case settled) For New Mexico AG.

CPUC App. 86-12-047. SCE's Low Income Conservation Programs. May, 1987. For Cal-Neva.

CPUC App. 86-12-047. Residential Rate Design for SCE. May, 1987. For TURN.

CPUC App. 86-12-047. SCE's Marginal Customer Costs. May, 1987. For TURN.

Oregon PUC Case No. UE-54 et al. Marginal Cost and Rate Spread for CP National. April 1987. For Utility Reform Project.

CPUC App. 82-04-044 et al. British Columbia Hydro's Site C Dam and the California-Oregon Transmission Project as a Resource for QF Bidding. April, 1987. (principal author with D. Branchcomb) For IEP.

CPUC App. 82-04-044 et al. Utility Resource Plans and Long-Run Avoided Costs, April, 1987. For IEP.

CPUC App. 84-12-015. SDG&E's Southwest Powerlink Balancing Account. April 1987. For UCAN.

BPA 1987 Wholesale Power and Transmission Rate Case. Nonfirm Energy and Transmission Rate Design. April, 1987. (co-author with M. Jones) For CEC Staff.

CPUC OII 86-11-019. Ratemaking for Contributions in Aid of Construction under the Tax Reform Act of 1986. March, 1987. For DGS.

Transmission Agency of Northern California. Draft EIS for the California-Oregon Transmission Project. Need for and Economics of the Project. March 1987. For Positive Resolution of Powerline Problems.

District of Columbia PSC. Formal Case No. 834. Qualifying Facility Policy. February, 1987. (co-author with J. Hamrin; only Hamrin testified) For the Commission.

Utah PSC Case No. 86-035-13. Backup, and Supplementary Power Rates of Utah Power and Light (UP&L). January, 1987. (case settled) For UCIPP.

US Bureau of Indian Affairs. Administrative Appeal of Final EIS for Ojo Line Extension Project of Public Service Company of New Mexico (PNM). Generation and Transmission Alternatives. December 1986. (co-author with E. Farmer) For New Mexico AG.

CPUC App. 86-07-008. Marginal Customer Costs of SDG&E. December, 1986. For UCAN.

CPUC App. 86-09-029. SoCal Gas' Low Income Conservation Programs. November, 1986. For Cal-Neva and TELACU.

CPUC App. 82-04-044 et al. Rebuttal on QF Contract Issues. December, 1986. For IEP.

New Mexico PSC Case No. 2053. PNM's Self-Generation Deferral Rate. November, 1986. For New Mexico AG.

Utah PSC Case No. 80-999-06. Avoided Costs of UP&L. November, 1986. For UCIPP.

CPUC App. 86-07-041. SCE's Low Income Conservation Programs. November, 1986. For Cal-Neva.

CPUC OII 86-06-005. Gas Demand Ratchets and Peak Shaving. August, 1986. For DGS.

CPUC App. 86-04-012. Residential Rate Design of PG&E. August, 1986. For TURN.

SMUD. Rate Design for Increase from Nuclear Powerplant Outage. May, 1986. For self.

CPUC Application 86-04-012. Marginal Cost and Revenue Allocation of PG&E. May, 1986. For TURN.

CPUC App. 85-12-050. Economics of Bimonthly Bills for PG&E Residential Customers. May, 1986. For TURN.

MDPU Docket 84-276. Rules on Avoided Cost Calculation and Contract Terms. March, 1986. For Pacific Lighting Energy Systems (PLES). (formal comment)

CPUC App. 82-04-044. Phase II. Long Run Avoided Cost and Contract Terms. January, 1986. For IEP.

Multnomah County Oregon Circuit Court. Coalition for Safe Power v. Oregon Public Utility Commissioner, Cases A8210-06692 et al. Statistical Analysis of Attorney Fees Awarded in Class Action Lawsuits. December, 1985. For Daniel Meek and Linda Williams.

CPUC Case 84-10-37. Special Facilities Charges of PG&E. November, 1985. (case settled) For IEP.

CPUC Informational Hearing on Utility Diversification. Utility Entrance into the Qualifying Facility Market. October, 1985. (co-author with J. Hamrin) For IEP.

MDPU Docket 84-276. Avoided Cost Methods and Contract Terms. October, 1985. For PLES.

Connecticut DPUC Docket 85-04-16. Avoided Cost Methods, Contract Options, and Standby Rates for NU and UI. July, 1985. For CTCC, Connecticut Small Power Producers Assn. and Connecticut Office of Consumer Counsel.

CPUC App. 84-12-15. Marginal Costs, Revenue Allocation, and Rate Design of SDG&E. May, 1985. For UCAN.

CPUC App. 84-12-15. SDG&E Revenue Requirements: LNG Plant Amortization, Customer Advances for Construction, Sale of Subsidiary, Economic Use of Southwest Powerlink. April, 1985. For UCAN.

CPUC App. 85-01-021. SCE's Low Income Conservation Program. March, 1985. For Cal-Neva.

Hawaii PUC. Docket 5069. Rulemaking Regarding Qualifying Facilities. December, 1984. For Amfac Energy, Inc. (formal comment)

South Carolina PSC Docket 80-251-E. Long-Run Avoided Cost of Duke Power (Duke), Carolina Power and Light (CP&L), and South Carolina Electric and Gas. December, 1984. For Clifton Power Corp.

BPA. 1985 Rate Case. Non-Firm Energy Rate Design and Transmission Interconnection Cost-Effectiveness. November, 1984. For CEC Staff.

North Carolina Utilities Commission Docket E-100, Sub 41A. Long-Run Avoided Cost of Duke, CP&L, and Virginia Power. October, 1984. For Cogentrix of North Carolina.

CPUC App. 82-04-44, Phase I. Long-Term Avoided Cost Methods. July, 1984. For IEP.

Oregon PUC Case UE 21. Ratemaking for Colstrip and Pacific Power and Light's (PP&L's) Power Sale to Black Hills Power and Light. July, 1984. For Utility Reform Project.

SMUD. Comments on the Staff Marginal Cost Study. May, 1984. For self.

CPUC App. 83-12-53. Avoided Cost and Rate Design of SCE. May, 1984. For IEP.

North Carolina Utilities Commission Docket E-100 Sub 41A. Avoided Cost of CP&L. March 1984. For Cogentrix of North Carolina.

CPUC App. 82-12-57. SDG&E's Low-Income Conservation Program. June, 1983. For Cal-Neva.

CPUC App. 82-12-48. Avoided Costs and Special Facilities Charges of PG&E. April, 1983. For IEP.

CPUC App. 83-01-62. PG&E's Gas Rate Design Guidelines. March, 1983. For TURN.

CPUC App. 82-03-67. Avoided Costs of PP&L. February, 1983. For Arcata Lumber Company.

CPUC App. 82-04-44. Long-Term Avoided Cost Methodology. January, 1983. (principal author with R. Alper) For IEP. (formal comment)

North Carolina Utilities Commission Docket E-100, Sub 41. Avoided Costs of Duke Power. December 1982. For Carrasan Group.

CPUC App. 82-03-26 et al. Short Term QF Power Purchase Offers. August 1982. For IEP.

CPUC App. 60153. Management Incentives for Utility Conservation Programs. March 1982. For the CEC Staff.

U.S. Ninth Circuit Court of Appeals. Case No. 81-7636. Economic Effect of Prices Charged to California Utilities by Northwest Utilities in July 1981. January 1982. (affadavit) For CEC Staff.

FERC Docket No. 81RM-38. Construction Work in Progress in the Rate Base of Regulated Utilities. October 1981. For CEC Staff. (formal comment)

CPUC App. 60153. Conservation Cost-Effectiveness Evaluation Methods. July 1981. For the CEC Staff.

SMUD PURPA Section 114 Evidentiary Hearing. Lifeline Rates and Customer Charges. June 1981. For Cal-Neva and Sacramento Equal Opportunity Commission.

CPUC App. 60153. PG&E's Financial Condition. May 1981. For CEC Staff.

BPA 1981 Wholesale Power Rate Case. Cost-of-Service and Rate Design. April 1981. For CEC Staff.

CPUC Docket OIR 2. Written and Oral Comments on Avoided Cost Pricing. November, 1980-February, 1981. For CEC Staff.

CPUC App. 60077. Cost Basis of Loan Guarantees to Non-Utility Energy Producers. December 1980. For CEC Staff.

CEC Docket 80-BR-3. Availability of Northwest Power to California. September, 1980. For CEC Staff.

SMUD. 1980 General Rate Case. Critique of 1979 SMUD Cost of Service Study. January 1980. For self.

SMUD. PURPA Title I Standards. SMUD Rates for Conservation and Equity. October 1979. (co-author with J. Wilson) For self. (formal comment)

BPA. 1979 Rate Case. Nonfirm Energy Rates. August 1979. (principal author with S. Smith and R. Weisenmiller) For CEC Staff. (formal comment)

BPA. 1979 Rate Case. Constructive Alternatives to BPA's Proposed Rate Increase. November 1978. (principal author with S. Smith and R. Weisenmiller) For CEC Staff. (formal comment)

This is Exhibit "E" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to read "Mark F. [unclear]", written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)

Hydro One Networks Inc.

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Susan Frank

Vice President and Chief Regulatory Officer
Regulatory Affairs



August 3, 2012

BY COURIER

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
2300 Yonge Street
Suite 2700,
Toronto, ON.
M4P 1E4

Dear Ms. Walli:

EB-2011-0004 – OEB Consultation on Developing Guidance for the Implementation of Smart Grid in Ontario – Hydro One Networks Comments on Intervenor Cost Claims

I write to advise that Hydro One Networks Inc. has received and reviewed the cost claims from Retail Council of Canada, Ontario Water Power Association, Ontario Sustainable Energy Association, Northwatch, National Chiefs Office, London Property Management Association, Energy Probe, Electrical Contractors Association of Ontario, Canadian Federation of Independent Business, Canadian District Energy Association, Consumers Council of Canada, Canadian Wind Energy Association, Canadian Solar Industries Association, Association of Power Producers of Ontario, Pollution Probe, Building Owners and Managers Association, Council of Canadians, and Agri-Energy Producers Association of Ontario and will raise no issues with their claims.

With respect to the costs claim from Association of Major Power Consumers in Ontario, Hydro One requests that the Assessment Officer ensure that the all the disbursements are in compliance with the OEB Practice Direction on Cost Awards.

With respect to the costs claim from Canadian Manufacturers and Exporters, Hydro One requests that the Assessment Officer ensure that the Form 1 match Form 3.

Sincerely,

ORIGINAL SIGNED BY ODED HUBERT FOR SUSAN FRANK

Susan Frank

This is Exhibit "F" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to read "Matt F. Sullivan", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)



EB-2010-0377
EB-2010-0378
EB-2010-0379
EB-2011-0004
EB-2011-0043

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, Schedule B;

AND IN THE MATTER OF cost awards in relation to a
Consultation Process to Develop a Renewed Regulatory
Framework.

BEFORE Marika Hare
Presiding Member

Ken Quesnelle
Member

DECISION AND ORDER ON COST AWARDS

October 18, 2012

Background

On December 17, 2010 the Board issued a [letter](#) initiating a consultation process to develop a Renewed Regulatory Framework for Electricity ("RRFE") that included three elements:

- Distribution Network Investment Planning (EB-2010-0377);
- Approaches to Mitigation for Electricity Transmitters and Distributors (EB-2010-0378); and
- Defining and Measuring the Performance of Electricity Transmitters and Distributors (EB-2010-0379).

On November 8, 2011 the Board issued a [letter](#) announcing an expanded scope of the RRFE to include two related consultations that were already underway:

- Establishment, Implementation and Promotion of a Smart Grid in Ontario (EB-2011-0004); and
- Regulatory Framework for Regional Planning for Electricity Infrastructure (EB-2011-0043).

In these letters, the Board stated that cost awards would be available to eligible persons under section 30 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B (“the Act”) in relation to their participation in each of the five initiatives comprising this consultation process, and that any costs awarded would be recovered from rate-regulated licensed electricity distributors and electricity transmitters. In a number of letters¹ issued over the course of the RRFE consultation to date, the Board identified the activities eligible for cost awards as well as the maximum number of hours for which cost awards would be available for most of those eligible activities.

In a series of Decisions² issued over the course of the RRFE consultation, the Board found the following participants to be eligible for an award of costs in relation to some or all of the five initiatives:

- Agrienergy Producers’ Association of Ontario (“APAO” – now the Biogas Association)
- Association of Major Power Consumers in Ontario (“AMPCO”)
- Association of Power Producers in Ontario (“APPrO”)
- Building Owners & Managers Association of the Greater Toronto Area (“BOMA”)
- Canadian District Energy Association (“CDEA”)
- Canadian Federation of Independent Business (“CFIB”)
- Canadian Manufacturers & Exporters (“CME”)
- Canadian Solar Industries Association (“CanSIA”)
- Canadian Wind Energy Association (“CanWEA”)
- Consumer Council of Canada (“CCC”)
- Council of Canadians (“COC”)
- Electrical Contractors Association of Ontario (“ECAO”)
- Energy Probe Research Foundation (“EPRF”)

¹ [December 17, 2010](#); [January 13, 2011](#); [April 1, 2011](#); [November 8, 2011](#); [February 22, 2012](#); [April 5, 2012](#)

² [May 3, 2012](#); [April 10, 2012](#); [February 1, 2012](#); [December 8, 2011](#); [December 7, 2011](#); [December 2, 2011](#); [May 16, 2011](#); [May 4, 2011](#); [April 4, 2011](#); [April 8, 2011](#); [February 1, 2011](#)

- Federation of Rental-housing Providers of Ontario (“FRPO”)
- London Property Management Association (“LPMA”)
- Low-Income Energy Network (“LIEN”)
- National Chief’s Office (“NCO”)
- Nishnawbe Aski Nation (“NAN”)
- Northwatch
- Northwestern Ontario Associated Chambers of Commerce (“NOACC”)
- Ontario Sustainable Energy Association (“OSEA”)
- Ontario Waterpower Association (“OWA”)
- Pollution Probe
- Retail Council of Canada (“RCC”)
- School Energy Coalition (“SEC”)
- Vulnerable Energy Consumers Coalition (“VECC”)
(collectively, the “eligible participants”).

The Board notes that while work is ongoing on this initiative, the consultation process covered by the cost eligibility decisions referenced above has concluded.

Consequently, on July 11, 2012 the Board issued a [Notice of Hearing](#) for Cost Awards (“the Notice”) for the consultation activities up to May 31, 2012; the end date of the consultation process.

All eligible participants submitted cost claims by July 24, 2012, the due date set out in the Notice. No objections to the filed cost claims were received.

Board Findings

The Board has reviewed the cost claims and finds that the claims filed by the following participants are within the approved overall limits set by the Board: APAO (now the Biogas Association); AMPCO; APPRO; CDEA; CanSIA; CanWEA; CCC; COC; EPRF; LPMA; LIEN; NCO; NOACC; OSEA; OWA; Pollution Probe; RCC; SEC; and VECC. The Board therefore finds that these participants are entitled to 100% of their reasonably incurred costs of participating in this consultation process.

The Board finds that certain disbursements in some of the eligible participants’ cost claims exceeded the allowable amounts or were not appropriately supported by receipts as directed in the Board’s *Practice Direction on Cost Awards* (“the Practice Direction”), s7.02. As a result, the Board is reducing the following claimed costs:

- BOMA’s claimed cost is reduced by \$13.55 due to missing courier receipts.

- CFIB's claimed cost is reduced by \$255.12 due to exceeding meal allowances and missing receipts for telephone charges.
- CME's claimed cost is reduced by \$207.32 due to: a) exceeding meal allowances, b) adjusting amount claimed for taxis to match the amount shown in the receipts provided, and c) disallowing an administrative fee for couriering documents.
- ECAO's claimed cost is reduced by \$161.39 due to missing receipts for couriers and parking.
- FRPO's claimed cost is reduced by \$10.35 due to 'double counting' of HST on parking.
- NAN's claimed cost is reduced by \$11.30 due to missing courier receipts.
- NOACC's claimed cost is reduced by \$607.61 due to: a) missing receipts for courier, telephone, and postage charges, b) 'double counting' of HST on air travel and taxis, and c) exceeding meal allowances.

The Board finds that Northwatch claimed 10 hours for time spent by a Northwatch staff member on consultation activities. The Board's Practice Direction does not allow costs for time spent by employees of a participant. In addition, Northwatch claimed mileage at \$0.41 (which is not the appropriate rate of \$0.40 per the Ontario Government) and 'double counted' HST. Accordingly, the Board is reducing Northwatch's claimed costs by \$3350.63.

The amount payable by each individual rate-regulated licensed electricity distributor and transmitter in relation to costs awarded to each eligible participant is listed in Appendix A to this Decision and Order.

Process for Paying the Cost Awards

The Board notes that as a result of merging five separate consultation initiatives that were already underway adherence to the proposed apportionment for recovering costs awarded, as set out in the Board's November 8, 2011 [letter](#), would require further information gathering from the claimants and an undue level of analytical effort. In the interest of administrative efficiency the Board has determined that the costs awarded in this Decision will be recovered from all rate-regulated licensed electricity distributors (65% of the costs awarded) and all rate-regulated licensed transmitters (35% of the costs awarded). Apportioning of 65% of the costs to electricity distributors is appropriate, given that the majority of the issues addressed affect them. In all cases,

costs awarded will be apportioned within each class based on distribution or transmission revenues, as applicable.

The Board will use the process set out in section 12 of the Practice Direction to implement the payment of the cost awards. Therefore, the Board will act as a clearing house for all payments of cost awards relating to this consultation process. Invoices will be issued to distributors at the same time as the invoices for cost assessments are made under section 26 of the Act. The practice of the Board is to issue to each rate-regulated licensed distributor and transmitter one invoice that covers all cost awards payable by the distributor/transmitter for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of consultations, including this one.

THE BOARD THEREFORE ORDERS THAT:

1. The amounts to be paid by each individual rate-regulated licensed distributor and transmitter in relation to the costs awarded to each eligible participant are as set out in **Appendix A** to this Decision and Order.
2. The individual distributors listed in **Appendix A** to this Decision and Order shall pay the costs awarded to each of the eligible participants as set out in **Appendix A**.
3. The individual distributors listed in **Appendix A** to this Decision and Order shall pay the Board's costs of, and incidental to, this consultation.
4. Payment of cost awards and of the Board's costs referred to in paragraphs 2 and 3 shall be made to the Ontario Energy Board in accordance with the invoice issued to the individual distributor, and shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto, October 18, 2012

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary

Appendix A

To October 18, 2012 Decision and Order on Cost Awards

	APAO	AMPCO	APPO	BOMA	CME	CDEA	CFIB	CanSIA	CanWEA	CCC	CoC	ECAO	EPRF	FRPO	LPMA	LIEN	NCO	NAN	NORTH-WATCH	NOACC	OSEA	OWA	PP	RCC	SEC	VECC	TOTAL
Electricity Distributors																											
Algoma Power Inc.	16.15	137.59	255.05	299.05	366.12	69.21	190.14	20.13	21.74	139.98	87.66	142.64	170.88	127.49	193.19	122.18	236.55	10.74	85.48	169.60	366.47	41.87	21.10	363.07	265.19	78.36	\$ 3,997.63
Atikokan Hydro Inc.	1.08	9.21	17.06	20.01	24.49	4.63	12.72	1.35	1.45	9.37	5.87	9.54	11.43	8.53	12.93	8.17	15.83	0.72	5.72	11.35	24.52	2.80	1.41	24.29	17.74	5.24	\$ 267.46
Attawapiskat Power Corp.	0.85	7.21	13.37	15.68	19.19	3.63	9.97	1.06	1.14	7.34	4.60	7.48	8.96	6.68	10.13	6.40	12.40	0.56	4.48	8.89	19.21	2.20	1.11	19.03	13.90	4.11	\$ 209.58
Bluewater Power Distribution Corporation	17.57	149.70	277.50	325.37	398.35	75.30	206.87	21.90	23.66	152.30	95.38	155.20	185.92	138.71	210.20	132.93	257.37	11.68	93.00	184.53	398.72	45.56	22.95	395.03	288.54	85.26	\$ 4,349.50
Brant County Power Inc.	5.47	46.62	86.41	101.32	124.04	23.45	64.42	6.82	7.37	47.43	29.70	48.33	57.89	43.19	65.45	41.39	80.14	3.64	28.96	57.46	124.16	14.19	7.15	123.01	89.85	26.55	\$ 1,354.41
Brantford Power Inc.	14.59	124.25	230.32	270.05	330.62	62.50	171.70	18.18	19.64	126.41	79.16	128.81	154.31	115.13	174.46	110.33	213.62	9.70	77.19	153.16	330.94	37.81	19.05	327.87	239.48	70.76	\$ 3,610.04
Burlington Hydro Inc.	27.20	231.71	429.51	503.61	616.56	116.55	320.20	33.90	36.62	235.73	147.63	240.22	287.76	214.70	325.34	205.75	398.36	18.08	143.94	285.61	617.14	70.52	35.53	611.42	446.60	131.96	\$ 6,732.15
Cambridge And North Dumfries Hydro Inc.	21.42	182.44	338.19	396.53	485.47	91.77	252.12	26.69	28.83	185.61	116.24	189.15	226.58	169.05	256.17	162.01	313.66	14.24	113.34	224.89	485.93	55.52	27.97	481.42	351.64	103.90	\$ 5,300.78
Canadian Niagara Power Inc.	15.35	130.79	242.44	284.27	348.02	65.79	180.74	19.13	20.67	133.06	83.33	135.59	162.43	121.19	183.64	116.14	224.86	10.21	81.25	161.22	348.35	39.80	20.05	345.12	252.09	74.49	\$ 3,800.02
Centre Wellington Hydro Ltd.	2.62	22.35	41.43	48.58	59.48	11.24	30.89	3.27	3.53	22.74	14.24	23.17	27.76	20.71	31.38	19.85	38.43	1.74	13.89	27.55	59.53	6.80	3.43	58.98	43.08	12.73	\$ 649.40
Chapleau Public Utilities Corporation	0.57	4.87	9.02	10.57	12.95	2.45	6.72	0.71	0.77	4.95	3.10	5.04	6.04	4.51	6.83	4.32	8.36	0.38	3.02	6.00	12.96	1.48	0.75	12.84	9.38	2.77	\$ 141.36
Chatham-Kent Hydro Inc.	13.61	115.93	214.89	251.97	308.48	58.31	160.20	16.96	18.32	117.94	73.86	120.19	143.97	107.42	162.78	102.94	199.31	9.05	72.02	142.90	308.77	35.28	17.77	305.91	223.44	66.02	\$ 3,368.24
Collus Power Corp.	5.28	44.94	83.30	97.67	119.57	22.60	62.10	6.57	7.10	45.72	28.63	46.59	55.81	41.64	63.10	39.90	77.26	3.51	27.92	55.39	119.69	13.68	6.89	118.58	86.61	25.59	\$ 1,305.64
Cooperative Hydro Embrun Inc.	0.65	5.51	10.21	11.97	14.66	2.77	7.61	0.81	0.87	5.60	3.51	5.71	6.84	5.10	7.73	4.89	9.47	0.43	3.42	6.79	14.67	1.68	0.84	14.53	10.62	3.14	\$ 160.03
Cornwall Street Railway Light And Power Company Ltd.	10.97	93.45	173.23	203.11	248.67	47.01	129.14	13.67	14.77	95.07	59.54	96.88	116.06	86.59	131.21	82.98	160.66	7.29	58.05	115.19	248.90	28.44	14.33	246.59	180.12	53.22	\$ 2,715.14
E.L.K. Energy Inc.	4.11	35.02	64.92	76.12	93.19	17.62	48.40	5.12	5.53	35.63	22.31	36.31	43.49	32.45	49.17	31.10	60.21	2.73	21.76	43.17	93.28	10.66	5.37	92.41	67.50	19.95	\$ 1,017.53
Enersource Hydro Mississauga Inc.	107.25	913.51	1693.33	1985.47	2430.79	459.51	1262.39	133.64	144.37	929.37	582.03	947.06	1134.50	846.44	1282.66	811.17	1570.54	71.29	567.50	1126.02	2433.09	278.01	140.06	2410.52	1760.70	520.25	\$ 26,541.47
Enwin Utilities Ltd.	45.53	387.83	718.90	842.93	1031.99	195.08	535.95	56.74	61.29	394.56	247.10	402.08	481.65	359.36	544.55	344.38	666.77	30.27	240.93	478.05	1032.97	118.03	59.46	1023.39	747.51	220.87	\$ 11,268.17
Erie Thames Powerlines Corporation	7.24	61.63	114.25	133.96	164.00	31.00	85.17	9.02	9.74	62.70	39.27	63.90	76.54	57.11	86.54	54.73	105.96	4.81	38.29	75.97	164.16	18.76	9.45	162.64	118.79	35.10	\$ 1,790.73
Espanola Regional Hydro Distribution Corporation	1.23	10.51	19.49	22.85	27.98	5.29	14.53	1.54	1.66	10.70	6.70	10.90	13.06	9.74	14.76	9.34	18.08	0.82	6.53	12.96	28.00	3.20	1.61	27.74	20.26	5.99	\$ 305.47
Essex Powerlines Corporation	10.01	85.26	158.05	185.32	226.88	42.89	117.83	12.47	13.48	86.74	54.33	88.40	105.89	79.00	119.72	75.71	146.59	6.65	52.97	105.10	227.10	25.95	13.07	224.99	164.34	48.56	\$ 2,477.30
Festival Hydro Inc.	8.86	75.47	139.90	164.03	200.82	37.96	104.29	11.04	11.93	76.78	48.09	78.24	93.73	69.93	105.97	67.02	129.75	5.89	46.88	93.03	201.01	22.97	11.57	199.15	145.46	42.98	\$ 2,192.75
Fort Albany Power Corp.	0.59	5.01	9.29	10.89	13.34	2.52	6.93	0.73	0.79	5.10	3.19	5.20	6.22	4.64	7.04	4.45	8.62	0.39	3.11	6.18	13.35	1.53	0.77	13.23	9.66	2.85	\$ 145.62
Fort Frances Power Corporation	1.42	12.12	22.47	26.35	32.26	6.10	16.75	1.77	1.92	12.33	7.72	12.57	15.06	11.23	17.02	10.77	20.84	0.95	7.53	14.94	32.29	3.69	1.86	31.99	23.37	6.90	\$ 352.22
Greater Sudbury Hydro Inc.	20.92	178.22	330.36	387.35	474.23	89.65	246.28	26.07	28.17	181.31	113.55	184.77	221.33	165.14	250.24	158.25	306.40	13.91	110.72	219.68	474.68	54.24	27.33	470.28	343.50	101.50	\$ 5,178.08
Grimsby Power Incorporated	3.22	27.46	50.90	59.69	73.07	13.81	37.95	4.02	4.34	27.94	17.50	28.47	34.10	25.45	38.56	24.39	47.21	2.14	17.06	33.85	73.14	8.36	4.21	72.46	52.93	15.64	\$ 797.87
Guelph Hydro Electric Systems Inc.	22.50	191.63	355.21	416.49	509.91	96.39	264.81	28.03	30.28	194.95	122.09	198.66	237.98	177.56	269.06	170.16	329.45	14.95	119.04	236.21	510.39	58.32	29.38	505.65	369.34	109.13	\$ 5,567.57
Haldimand County Hydro Inc.	12.30	104.76	194.19	227.69	278.76	52.70	144.77	15.33	16.56	106.58	66.75	108.61	130.10	97.07	147.10	93.03	180.11	8.18	65.08	129.13	279.03	31.88	16.06	276.44	201.92	59.66	\$ 3,043.79
Halton Hills Hydro Inc.	8.81	75.05	139.12	163.12	199.70	37.75	103.71	10.98	11.86	76.35	47.82	77.81	93.21	69.54	105.38	66.64	129.03	5.86	46.62	92.51	199.89	22.84	11.51	198.04	144.65	42.74	\$ 2,180.54
Horizon Utilities Corporation	80.95	689.56	1278.21	1498.73	1834.88	346.86	952.91	100.88	108.98	701.53	439.34	714.89	856.37	638.93	968.21	612.31	1185.52	53.81	428.37	849.98	1836.61	209.86	105.73	1819.57	1329.06	392.71	\$ 20,034.76
Hydro Hawkesbury Inc.	1.20	10.21	18.93	22.19	27.17	5.14	14.11	1.49	1.61	10.39	6.51	10.59	12.68	9.46	14.34	9.07	17.56	0.80	6.34	12.59	27.20	3.11	1.57	26.94	19.68	5.82	\$ 296.70
Hearst Power Distribution Company Limited	0.74	6.27	11.63	13.64	16.69	3.16	8.67	0.92	0.99	6.38	4.00	6.50	7.79	5.81	8.81	5.57	10.79	0.49	3.90	7.73	16.71	1.91	0.96	16.56	12.09	3.57	\$ 182.28
Hydro 2000 Inc.	0.29	2.50	4.63	5.43	6.65	1.26	3.45	0.37	0.39	2.54	1.59	2.59	3.10	2.31	3.51	2.22	4.29	0.19	1.55	3.08	6.65	0.76	0.38	6.59	4.81	1.42	\$ 72.55
Hydro One Brampton Networks Inc.	57.25	487.63	903.89	1059.83	1297.54	245.28	673.85	71.34	77.06	496.09	310.68	505.54	605.59	451.82	684.67	433.00	838.34	38.05	302.93	601.06	1298.76	148.40	74.76	1286.72	939.85	277.71	\$ 14,167.64
Hydro One Networks Inc.	1030.49	8777.31	16270.00	19077.00	23355.79	4415.07	12129.39	1284.10	1387.16	8929.65	5592.30	9099.63	10900.64	8132.84	12324.12	7793.99	15090.23	684.95	5452.66	10819.16	23377.82	2671.21	1345.76	23161.00	16917.37	4998.75	\$ 255,018.39
Hydro Ottawa Limited	133.95	1141.00	2115.02	2479.91	3036.13	573.94	1576.76	166.93	180.32	1160.81	726.97	1182.91	1417.02	1057.23	1602.08	1013.18	1961.65	89.04	708.82	1406.44	3039.00	347.25	174.94	3010.81	2199.17	649.81	\$ 33,151.09
Innisfil Hydro Distribution Systems Limited	7.18	61.16	113.36	132.92	162.73	30.76	84.51	8.95	9.67	62.22	38.96	63.40	75.95	56.67	85.87	54.31	105.14	4.77	37.99	75.38	162.89	18.61	9.38	161.38	117.87	34.83	\$ 1,776.86
Kashechewan Power Corp.	0.80	6.77	12.56	14.72	18.02	3.41	9.36	0.99	1.07	6.89	4.32	7.02	8.41	6.28	9.51	6.01	11.65	0.53	4.21	8.35	18.04	2.06	1.04	17.87	13.06	3.86	\$ 196.81
Kenora Hydro Electric Corporation Ltd.	1.98	16.87	31.28	36.67	44.90	8.49	23.32	2.47	2.67	17.17	10.75	17.49	20.95	15.63	23.69	14.98	29.01	1.32	10.48	20.80	44.94	5.14	2.59	44.52	32.52	9.61	\$ 490.24
Kingston Hydro Corporation	8.89	75.71	140.33	164.54	201.45	38.08	104.62	11.08	11.96	77.02	48.23	78.49	94.02	70.15	106.30	67.22	130.16	5.91	47.03	93.32	201.64	23.04	11.61	199.77	145.92	43.12	\$ 2,199.61
Kitchener-Wilmot Hydro Inc.	33.11	282.05	522.82	613.01	750.51	141.87	389.76	41.26	44.57	286.94	179.70	292.41	350.28	261.34	396.02	250.45	484.90	22.01	175.22	347.66	751						

Midland Power Utility Corporation	3.22	27.43	50.85	59.63	73.00	13.80	37.91	4.01	4.34	27.91	17.48	28.44	34.07	25.42	38.52	24.36	47.17	2.14	17.04	33.82	73.07	8.35	4.21	72.39	52.88	15.62	\$ 797.08
Milton Hydro Distribution Inc.	11.31	96.37	178.63	209.45	256.43	48.47	133.17	14.10	15.23	98.04	61.40	99.91	119.68	89.29	135.31	85.57	165.68	7.52	59.87	118.79	256.67	29.33	14.78	254.29	185.74	54.88	\$ 2,799.91
Newmarket - Tay Power Distribution Ltd.	14.24	121.32	224.89	263.69	322.83	61.03	167.66	17.75	19.17	123.43	77.30	125.78	150.67	112.42	170.35	107.73	208.58	9.47	75.37	149.55	323.14	36.92	18.60	320.14	233.84	69.10	\$ 3,524.97
Niagara Peninsula Energy Inc.	24.77	210.98	391.08	458.55	561.40	106.13	291.55	30.87	33.34	214.64	134.42	218.73	262.02	195.49	296.24	187.34	362.72	16.46	131.07	260.06	561.93	64.21	32.35	556.72	406.64	120.15	\$ 6,129.86
Niagara-On-The-Lake Hydro Inc.	4.22	35.97	66.67	78.17	95.70	18.09	49.70	5.26	5.68	36.59	22.92	37.29	44.67	33.33	50.50	31.94	61.83	2.81	22.34	44.33	95.79	10.95	5.51	94.91	69.32	20.48	\$ 1,044.97
Norfolk Power Distribution Inc.	10.01	85.25	158.02	185.28	226.84	42.88	117.81	12.47	13.47	86.73	54.31	88.38	105.87	78.99	119.70	75.70	146.56	6.65	52.96	105.08	227.05	25.94	13.07	224.95	164.31	48.55	\$ 2,476.83
North Bay Hydro Distribution Limited	10.40	88.61	164.25	192.58	235.78	44.57	122.45	12.96	14.00	90.14	56.45	91.86	110.04	82.10	124.41	78.68	152.34	6.91	55.04	109.22	236.00	26.97	13.59	233.81	170.78	50.46	\$ 2,574.40
Northern Ontario Wires Inc.	2.43	20.66	38.29	44.90	54.97	10.39	28.55	3.02	3.26	21.02	13.16	21.42	25.66	19.14	29.01	18.34	35.52	1.61	12.83	25.47	55.02	6.29	3.17	54.51	39.82	11.77	\$ 600.23
Oakville Hydro Electricity Distribution Inc.	28.08	239.21	443.42	519.91	636.53	120.33	330.57	35.00	37.80	243.36	152.41	248.00	297.08	221.65	335.88	212.41	411.26	18.67	148.60	294.86	637.13	72.80	36.68	631.22	461.06	136.23	\$ 6,950.15
Orangeville Hydro Limited	4.49	38.24	70.89	83.12	101.77	19.24	52.85	5.60	6.04	38.91	24.37	39.65	47.50	35.44	53.70	33.96	65.75	2.98	23.76	47.14	101.86	11.64	5.86	100.92	73.71	21.78	\$ 1,111.17
Orillia Power Distribution Corporation	6.69	57.00	105.66	123.89	151.67	28.67	78.77	8.34	9.01	57.99	36.32	59.09	70.79	52.82	80.03	50.61	98.00	4.45	35.41	70.26	151.82	17.35	8.74	150.41	109.86	32.46	\$ 1,656.11
Oshawa Puc Networks Inc.	17.95	152.89	283.40	332.29	406.82	76.90	211.28	22.37	24.16	155.54	97.41	158.50	189.87	141.66	214.67	135.76	262.85	11.93	94.98	188.45	407.21	46.53	23.44	403.43	294.68	87.07	\$ 4,442.04
Ottawa River Power Corporation	3.33	28.33	52.52	61.58	75.40	14.25	39.16	4.15	4.48	28.83	18.05	29.38	35.19	26.25	39.78	25.16	48.71	2.21	17.60	34.93	75.47	8.62	4.34	74.77	54.61	16.14	\$ 823.24
Parry Sound Power Corporation	1.66	14.13	26.19	30.70	37.59	7.11	19.52	2.07	2.23	14.37	9.00	14.65	17.54	13.09	19.84	12.54	24.29	1.10	8.78	17.41	37.63	4.30	2.17	37.28	27.23	8.05	\$ 410.47
Peterborough Distribution Incorporated	13.75	117.11	217.09	254.54	311.63	58.91	161.84	17.13	18.51	119.15	74.62	121.41	145.44	108.51	164.44	103.99	201.34	9.14	72.75	144.36	311.92	35.64	17.96	309.03	225.72	66.70	\$ 3,402.63
Powerstream Inc.	147.30	1254.72	2325.82	2727.07	3338.73	631.14	1733.91	183.56	198.29	1276.50	799.43	1300.80	1558.25	1162.60	1761.75	1114.15	2157.16	97.92	779.47	1546.61	3341.88	381.86	192.38	3310.88	2418.35	714.57	\$ 36,455.10
Puc Distribution Inc.	13.74	117.03	216.94	254.37	311.42	58.87	161.73	17.12	18.50	119.07	74.57	121.33	145.35	108.44	164.33	103.92	201.21	9.13	72.71	144.26	311.72	35.62	17.94	308.82	225.57	66.65	\$ 3,400.36
Renfrew Hydro Inc.	1.47	12.52	23.21	27.21	33.31	6.30	17.30	1.83	1.98	12.74	7.98	12.98	15.55	11.60	17.58	11.12	21.52	0.98	7.78	15.43	33.34	3.81	1.92	33.03	24.13	7.13	\$ 363.75
Rideau St. Lawrence Distribution Inc.	1.97	16.80	31.14	36.52	44.71	8.45	23.22	2.46	2.66	17.09	10.70	17.42	20.87	15.57	23.59	14.92	28.89	1.31	10.44	20.71	44.75	5.11	2.58	44.34	32.38	9.57	\$ 488.17
St. Thomas Energy Inc.	5.85	49.86	92.42	108.36	132.67	25.08	68.90	7.29	7.88	50.72	31.77	51.69	61.92	46.20	70.00	44.27	85.72	3.89	30.97	61.46	132.79	15.17	7.64	131.56	96.09	28.39	\$ 1,448.56
Sioux Lookout Hydro Inc.	1.66	14.15	26.23	30.76	37.65	7.12	19.55	2.07	2.24	14.40	9.02	14.67	17.57	13.11	19.87	12.57	24.33	1.10	8.79	17.44	37.69	4.31	2.17	37.34	27.27	8.06	\$ 411.14
Thunder Bay Hydro Electricity Distribution Inc.	16.04	136.66	253.32	297.03	363.65	68.74	188.85	19.99	21.60	139.03	87.07	141.68	169.72	126.63	191.89	121.35	234.95	10.66	84.90	168.45	363.99	41.59	20.95	360.62	263.40	77.83	\$ 3,970.59
Tillsonburg Hydro Inc.	3.00	25.58	47.42	55.60	68.07	12.87	35.35	3.74	4.04	26.03	16.30	26.52	31.77	23.70	35.92	22.72	43.98	2.00	15.89	31.53	68.13	7.79	3.92	67.50	49.31	14.57	\$ 743.25
Toronto Hydro-Electric System Limited	475.64	4051.45	7509.97	8805.61	10780.62	2037.93	5598.71	592.72	640.28	4121.77	2581.31	4200.25	5031.54	3753.99	5688.61	3597.56	6965.38	316.17	2516.87	4993.94	10790.79	1233.00	621.18	10690.72	7808.76	2307.33	\$ 117,712.10
Veridian Connections Inc.	44.12	375.85	696.70	816.89	1000.11	189.06	519.39	54.99	59.40	382.38	239.47	389.66	466.77	348.26	527.73	333.74	646.18	29.33	233.49	463.29	1001.06	114.38	57.63	991.77	724.42	214.05	\$ 10,920.12
Wasaga Distribution Inc.	3.59	30.61	56.74	66.53	81.45	15.40	42.30	4.48	4.84	31.14	19.50	31.73	38.01	28.36	42.98	27.18	52.62	2.39	19.02	37.73	81.53	9.32	4.69	80.77	59.00	17.43	\$ 889.34
Waterloo North Hydro Inc.	23.46	199.84	370.44	434.35	531.77	100.52	276.17	29.24	31.58	203.31	127.33	207.18	248.19	185.17	280.60	177.46	343.58	15.60	124.15	246.33	532.27	60.82	30.64	527.34	385.18	113.81	\$ 5,806.33
Weland Hydro-Electric System Corp.	8.14	69.36	128.57	150.75	184.56	34.89	95.85	10.15	10.96	70.56	44.19	71.91	86.14	64.27	97.39	61.59	119.24	5.41	43.09	85.49	184.73	21.11	10.63	183.02	133.68	39.50	\$ 2,015.18
Wellington North Power Inc.	1.69	14.42	26.73	31.34	38.37	7.25	19.92	2.11	2.28	14.67	9.19	14.95	17.91	13.36	20.24	12.80	24.79	1.13	8.96	17.77	38.40	4.39	2.21	38.05	27.79	8.21	\$ 418.93
West Coast Huron Energy Inc.	2.04	17.38	32.22	37.78	46.26	8.74	24.02	2.54	2.75	17.69	11.08	18.02	21.59	16.11	24.41	15.44	29.89	1.36	10.80	21.43	46.30	5.29	2.67	45.87	33.51	9.90	\$ 505.09
Westario Power Inc.	8.24	70.21	130.15	152.60	186.82	35.32	97.02	10.27	11.10	71.43	44.73	72.79	87.19	65.06	98.58	62.34	120.71	5.48	43.62	86.54	187.00	21.37	10.76	185.27	135.32	39.99	\$ 2,039.91
Whitby Hydro Electric Corporation	17.18	146.37	271.31	318.12	389.47	73.62	202.26	21.41	23.13	148.91	93.25	151.74	181.77	135.62	205.51	129.97	251.64	11.42	90.93	180.42	389.84	44.54	22.44	386.22	282.11	83.36	\$ 4,252.56
Woodstock Hydro Services Inc.	6.08	51.75	95.92	112.47	137.69	26.03	71.51	7.57	8.18	52.65	32.97	53.65	64.27	47.95	72.66	45.95	88.96	4.04	32.15	63.78	137.82	15.75	7.93	136.55	99.74	29.47	\$ 1,503.49

Total	\$ 2,769.06	\$23,586.68	\$43,721.48	\$51,264.43	\$62,762.54	\$11,864.38	\$32,594.56	\$ 3,450.68	\$ 3,727.59	\$23,996.11	\$15,027.87	\$24,452.97	\$29,292.56	\$21,854.94	\$33,117.94	\$20,944.27	\$40,551.01	\$ 1,840.66	\$14,652.68	\$29,073.70	\$62,821.78	\$ 7,178.27	\$ 3,616.38	\$62,239.16	\$45,461.00	\$13,432.82	\$685,295.52
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Electricity Transmitters	APAO	AMPCO	APPO	BOMA	CME	CDEA	CFIB	CanSIA	CanWEA	CCC	CoC	ECAO	EPRF	FRPO	LPMA	LIEN	NCO	NAN	NORTH-WATCH	NOACC	OSEA	OWA	PP	RCC	SEC	VECC	TOTAL
Canadian Niagara Power Inc.	5.26	44.79	83.03	97.35	119.19	22.53	61.9	6.55	7.08	45.57	28.54	46.44	55.63	41.5	62.89	39.77	77.01	3.5	27.83	55.21	119.3	13.63	6.87	118.19	86.33	25.51	1301.4
Five Nations Energy Inc.	7.07	60.21	111.6	130.86	160.21	30.28	83.2	8.81	9.52	61.25	38.36	62.42	74.77	55.79	84.54	53.46	103.51	4.7	37.4	74.21	160.36	18.32	9.23	158.87	116.04	34.29	1749.28
Great Lakes Power Ltd.	36.82	313.62	581.34	681.64	834.52	157.75	433.39	45.88	49.56	319.06	199.82	325.14	389.49	290.59	440.35	278.48	539.19	24.47	194.83	386.58	835.31	95.45	48.09	827.56	604.47	178.61	9112.01
Niagara West Transformation Corp.	0.75	6.4	11.86	13.9	17.02	3.22	8.84	0.94	1.01	6.51	4.08	6.63	7.94	5.93	8.98	5.68	11	0.5	3.97	7.89	17.04	1.95	0.98	16.88	12.33	3.64	185.87
Hydro One Networks Inc.	1441.14	12275.5	22754.51	26680.17	32664.28	6174.73	16963.58	1795.88	1939.99	12488.6	7821.13	12726.36	15245.09	11374.24	17235.97	10900.29	21104.45	957.95	7625.88	15131.18	32695.11	3735.87	1882.11	32391.9	23659.83	6991	35656.74

Total	\$1,491.04	\$12,700.52	\$23,542.34	\$27,603.92	\$33,795.22	\$6,388.51	\$17,550.91	\$1,858.06	\$2,007.16	\$12,920.99	\$8,091.93	\$13,166.99	\$15,772.92	\$11,768.05	\$17,832.73	\$11,277.68	\$21,835.16	\$991.12	\$7,889.91	\$15,655.07	\$33,827.12	\$3,865.22	\$1,947.28	\$33,513.40	\$24,479.00	\$7,233.05	\$369,005.30
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Grand Total	\$4,260.10	\$36,287.20	\$67,263.82	\$78,868.35	\$96,557.76	\$18,252.89
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This is Exhibit "G" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to read "Mark F. [unclear]", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)

Currently

Researcher, analyst, writer-editor, facilitator, working in the areas of environment and natural resource management; case manager for federal reviews of nuclear waste management, new mine development

Professional Work

Terratoire Environmental Consultancy, Senior Consultant, established 2009, 2009 to present

Forests and Community Support Program, Northwatch, 2002 to 2008.

Regional Consultant, Ontario Healthy Communities Coalition, 2008 to 2012

Researcher/Writer, Boreal Program, Mining Watch Canada, 2001, 2007-2008

Researcher/Writer, Literature Review of Relevant Forestry Policies and Programs, Union of Ontario Indians, 2005

Researcher/Writer, Energy Action Agenda, Great Lakes United, 2002

Forests and Community Support Program, Northwatch, 2000

Field Research and Data Collection, Ministry of the Environment Tolerant Hardwood Decline Study, 1998, 1999, 2000, 2001, 2002

Regional Outreach Coordinator for "Lands for Life" land use planning exercise, Partnership for Public Lands, 1997-1998

Case manager, Adams Mine Intervention Coalition, Adams Mine Environmental Assessment Hearing, 1998

Data Assembly and Mapping, Ocular Regeneration Study, Ministry of Natural Resources, 1995

Case manager, Northwatch Intervention in Ontario Energy Board HR-22, 1994; HR-23, 1995; HR-24, 1996

Case Coordinator and Analyst, Northwatch Representation to the Federal Environmental Assessment Review of on the Decommissioning of Uranium Mine Tailings Areas in Elliot Lake, 1993 - 1996

Case Coordinator and Analyst, Northwatch Representation to the Federal Environmental Assessment Review of Atomic Energy of Canada Limited's Nuclear Fuel Waste Management Disposal Concept, 1990 - 1997

Case Coordinator, Northwatch Intervention in the Environmental Assessment of Ontario Hydro's 25 Year Demand Supply Plan, 1990 - 1993

Intervention Coordinator, Northwatch et al intervention in the Class Environmental Assessment of Timber Management on Crown Lands in Ontario, 1988 - 1993

Coordinator, North Bay Women's Centre, 1986 - 1990

curriculum vitae**Advisory Positions**

National Advisory Committee on Orphaned and Abandoned Mines, 2001 to present

Regional Advisory Committee to Ministry of Natural Resources, 1999 to 2010

Minister's Mining Act Advisory Committee, 1995 to present

Non-Governmental Organizations Regulatory Advisory Committee, Canadian Nuclear Safety Commission, 2005 to present

Nipissing Forest Local Citizens Committee, Advisory to the Ministry of Natural Resources North Bay District, 2003 to present

Mining Sector Sustainability Table, Government of Canada, 2005 to 2007

Ontario Waste EA Stakeholder Consultation Group, 2006

Canadian Environmental Assessment Agency Regulatory Advisory Committee Subcommittee on Public Participation in Screening Reviews, 2001-2002

Forest Management Planning Improvement Project (Ontario Ministry of Natural Resources) Steering Committee and Project Team, 2000-2001

Toxicological Investigations of Mine Effluent (TIME) Federal Advisory Group, 1999 to 2003

Canadian Environmental Assessment Agency Regulatory

Advisory Committee Subcommittee on Participant Funding, 1997 - 1999

Moose River Basin Environmental Information Project

Steering Committee, Ministry of Natural Resources, 1995 - 1999

Metal Mining Liquid Effluent Regulation Review Group (Aquamin), 1994-1999

Chair, Old Growth Forests Policy Advisory Committee to the Minister of Natural Resources, 1992 - 1994

Whitehorse Mining Initiative, Leadership Council, 1994

Environmental Bill of Rights Advisory Committee, 1991

Ontario Round Table on the Environment and Economy, Forest Sector Task Force Member, 1991

Community work

GreenSpace North Bay, founding member and communications coordinator, 2007 to present

Northwatch, founding member, steering committee and program director, 1988 to present

Ontario Environment Network Forest Caucus, Co-Chair, 2000 to 2008

Nuclear Waste Watch, National Steering Committee Co-chair, 2003 to present

MiningWatch Canada, founding board member, Co-Chair, 1999 to 2004

Canadian Environment Network Mining Caucus, Co-Chair, 1994 - 1998, steering committee 1998 to present

Canadian Environment Network Forest Caucus, Chair, 1994 - 1997

Canadian Environment Network Nuclear Waste Working Group, Co-Chair, 1996 to 1998

Great Lakes United Board of Directors, 1993 - 1997

North Bay Peace Alliance, founding member, coordinator, 1984 to present

Nipissing Environment Watch, founding member, resource person, 1984 to present

Canadian Crossroads, North Bay coordinating committee, 1990-1998

Ontario Energy Environment Caucus, Co-chair, 1990 to 1995

Ontario Environment Network, regional representative for northeastern Ontario, 1986 - 1992

Canadian Peace Alliance, regional representative for northeastern Ontario, 1986 - 1991

North Eastern Ontario Network for Peace, founding member, regional coordinator, 1985 - 1990

Temagami Wilderness Society, Board of Directors, 1987 - 1990

Profile

Brennain works primarily as a researcher and organizer around land use and natural resource concerns, and has served in a number of key advisory positions on mineral and forest policy. Brennain is a frequent guest lecturer on a range of issues related to the public role in environmental decision-making and natural resource management

Publications

Forest File, quarterly newsletter on Forest Management Planning in Northeastern Ontario, 2002 to 2008

“Who’s that Mining in Our Homeland? An overview of mineral activities in the Robinson-Huron Treaty Area”, prepared for Serpent River First Nation, 2009

“The Boreal Below: Mining Issues and Activities in Canada’s Boreal Forest Region”, principal author, revised version, MiningWatch Canada, 2008

Local Citizens’ Committee Handbook on Forest Management Planning, 2007

“Restoring Balance”, Literature Review for the Union of Ontario Indians, 2005

“Great Lakes Energy Action Agenda”, co-authored with Irene Kock, Great Lakes United, 2002

“The Boreal Below: Mining Issues and Activities in Canada’s Boreal Forest Region”, co-authored with Catherine Daniel, MiningWatch Canada, 2001

“UnderMining Superior”, Northwatch, 2001

“A Citizens’ Briefing Kit for the Five Year Review of the Canadian Environmental Assessment Act”, Canadian Environmental Network, 2000

“At Work in the Natural World - Mining & Milling Ontario’s Natural Resources”, co-authored with Catherine Daniel, Canadian Institute for Environmental Law and Policy, 1999

“Public Participation in Comprehensive Studies and Screenings and Participant Funding At the Screening Level Of Federal Environmental Assessment”, Canadian Environmental Assessment Agency, 1999

“Who’s Minding the Mines?”, Great Lakes United submission to the International Joint Commission Biennial Meeting, 1996

“Sustainability - As If We Meant It”, mining chapter, Ontario Environment Network, 1990

Northwatch News, writer and editor, ongoing since 1990

Web sites

Northwatch and environmental issues in northeastern Ontario at www.northwatch.org

Nuclear waste issues in Canada at www.nuclearwaste.ca

Nuclear waste siting exercise at www.KnowNuclearWaste.ca

Healthy communities and local planning at www.greenspacenorthbay.net

This is Exhibit "H" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to read "M. F. L.", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)

Terratoire's visual marker is lichen on a granite boulder, representing the resilience and interdependence of the natural and human communities of northern Ontario.

What is a lichen?

Lichens are not a single plant.

A lichen is a complex group of plants depending on a close association between a fungus and algae - a symbiotic relationship.



**Terratoire
Environmental
Consultancy**

Box 264, North Bay, P1B 8H2

Phone: 705 493 9650
Email: contact@terratoire.com
www.terratoire.com

**Terratoire
Environmental
Consultancy**



www.terratoire.com

Terratoire Environmental Consultancy

Terratoire Environmental is an environmental consultancy established in 2009 in response to a growing demand for flexible and responsive service and support related to environmental and natural resource policy, program and project review and development. While formally established in 2009, the consulting group has its roots in more than two decades of practice in northeastern Ontario.

Terratoire Environmental was formed to provide services primarily to non-profit organizations and First Nations in northeastern Ontario. Terratoire's services include research, writing, editing, policy and project review, facilitation and strategic planning, presentations and seminars structured for the adult-learner, and popular education programs. Areas of focus include natural resource and environmental management, land use planning (both urban and non-urban), energy conservation at community and household scales, and volunteerism.



Service and Experience

Terratoire's services include research, writing, editing, policy and project review, event management, facilitation and strategic planning, presentations and seminars structured for the adult-learner, and popular education programs. Areas of focus include natural resource and environmental management, land use planning (both urban and non-urban), energy conservation at community and household scales, and volunteerism.

Terratoire's depth of experience and knowledge about the region of northeastern Ontario and the interplay between communities, the public interest, and natural resource policy and projects makes it uniquely qualified to provide its primary services. While other options might exist in the form of high-cost multinational consulting firms with desks in northern Ontario, no other consulting firm provides Terratoire's blend of skills, experience, and understanding of the region.



Terratoire's Name

Terratoire's name conveys a sense of two of its key attributes: an environmental sensibility and a regional character. A play on the French word "territoire" which roughly translates as "home place" and conveys a regional sensibility, the name "Terratoire" blends this sense of regionality with the latin term "terra", meaning land or earth.



Terratoire Environmental Consultancy

Phone: 705 493 9650

Email: contact@terratoire.com

www.terratoire.com

This is Exhibit "I" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to read "M. F. L.", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)

Direct Dial: (416) 862-4825
File: 5803

By Electronic Mail, Courier and RESS Filing

August 10, 2012

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street,
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Northwatch Application for Cost Award
Board File No. EB-2011-0140 - East-West Tie Line**

In accordance with the Board's Practice Direction on Cost Awards, Northwatch hereby applies for a cost award for its contribution in this proceeding. As a not-for-profit organization, Northwatch depends on cost awards to remunerate counsel and its representative, Ms. Brennain Lloyd, for their participation in this proceeding.

On August 3, 2012, Northwatch respectfully requested, by way of letter to the Board, an extension of time to file its cost claim in this proceeding. Northwatch respectfully requests that the Board allow Northwatch to apply late for a cost award for the reasons set out in Northwatch's letter. Northwatch appreciates the Board's understanding in this matter.

Value to the Proceeding

As a public interest organization concerned with environmental protection and social development in northeastern Ontario, Northwatch has a long-term and consistent interest in electricity planning in Ontario. In particular, Northwatch's interests are with respect to electricity generation and transmission in northeastern Ontario, conservation and efficiency measures, and rates and rate structures.

Northwatch serves as an invaluable representative of the residents and regions of northeastern Ontario. These regions and residents will or may be affected by the East-West Tie Line in as far as it relates to:



- how the project may support and/or counter Northwatch's interests and objectives, and
- whether and/or how the balance of demand and supply of electricity at a regional level will be affected.

Northwatch demonstrated its value throughout this proceeding, through Northwatch's review of all documents relating to this proceeding, including the documents provided by Hydro One and GLPT, participation in the All Parties Meeting, preparation of written submissions regarding the draft Issues List and preparation of a reply to the submissions of other intervenors and applicants. Throughout the above, Northwatch represented the residents and regions of northeastern Ontario by devoting significant attention to the decision criteria and issues necessary to ensure that the transmitters will be evaluated in a way that demonstrates which transmitter will best mitigate the effects of the East-West Tie line on northeastern Ontario and its residents.

Northwatch submits that its costs claimed in this proceeding are representative of Northwatch's value to this proceeding. Northwatch was an integral part of Phase 1 process and provided helpful and comprehensive written submissions.

Northwatch avoided incurring costs wherever possible. Northwatch's costs as submitted to the Board are minimal and reasonable.

Delegation of Tasks

Northwatch co-ordinated roles and responsibilities between and among Northwatch's representative and legal counsel in order to avoid duplication and to minimize costs.

Northwatch minimized legal costs by having junior associate counsel prepare and/or revise correspondence, review correspondence from the Board and the parties, review documents provided by the parties, attend the All Parties Meeting and prepare Northwatch's written submissions.

Northwatch minimized administrative costs by employing legal counsel's assistant to perform filing and formatting of correspondence and submissions to the Board, and all other administrative tasks whenever possible, free of charge.

Northwatch's representative, Ms. Lloyd, assisted with strategy in preparing for the All Parties Meeting and Northwatch's written submissions.



We enclose the Cost Claim of Northwatch and respectfully request that its contribution be acknowledged in this proceeding.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Matt F. Gardner', with a stylized flourish at the end.

Matt Gardner

Encl.

Document #: 540945

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required fields are filled in and the Affidavit portion is signed and sworn or affirmed.

Instructions

- Required data input is indicated by yellow-shaded fields. Formulas are present in the document to assist with the calculation of the cost claim.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.
Rate: _____ Country: _____
- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each consultant or lawyer/articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant must be attached unless, for a given consultant, a CV has been provided to the Board in another process within the last 24 months.
- Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB-	EB-2011-0140	Process:	East-West Tie Line
Party:	Northwatch	Affiant's Name:	Matt Gardner
HST Number:	113627988RT0001	HST Rate Ontario:	13.00%
	Full Registrant <input checked="" type="checkbox"/>	Qualifying Non-Profit	<input type="checkbox"/>
	Unregistered <input type="checkbox"/>	Tax Exempt	<input type="checkbox"/>
	Other <input type="checkbox"/>		

Affidavit

I, **Matt Gardner**, of the City/Town of **Burlington**
in the Province/State of **Ontario**, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.



Signature of Affiant

Sworn or affirmed before me at the City/Town of **Toronto**,
in the Province/State of **Ontario**, on **August-10-12**,
(date)



Commissioner for taking Affidavits

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

File # EB- EB-2011-0140 Process: East-West Tie Line

Party: Northwatch

Summary of Fees and Disbursements Being Claimed	
Legal/consultant fees	\$11,719.50
Disbursements	\$259.63
HST	\$1,557.29
Total Cost Claim	\$13,536.42

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB-	2011-0140	Process:	East-West Tie Line
Party:	Northwatch	Name:	Matt Gardner
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>	2	
Consultant:	<input type="checkbox"/>		
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	18.10	\$170.00	\$3,077.00	\$400.01	\$3,477.01
Attendance - Technical Conference	7.30	\$170.00	\$1,241.00	\$161.33	\$1,402.33
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument	14.80	\$170.00	\$2,516.00	\$327.08	\$2,843.08
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$6,834.00	\$888.42	\$7,722.42

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies	\$235.75	\$30.65	\$266.40
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone	\$23.88	\$3.10	\$26.98
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		included	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$259.63	\$33.75	\$293.38

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB-	2011-0140	Process:	East-West Tie Line
Party:	Northwatch	Name:	Juli Abouchar
		Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal:	<input checked="" type="checkbox"/>		18
Consultant:	<input type="checkbox"/>		
CV attached:	<input type="checkbox"/>	CV not required:	<input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	2.00	\$290.00	\$580.00	\$75.40	\$655.40
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument	1.80	\$290.00	\$522.00	\$67.86	\$589.86
Case Management		\$170.00	\$0.00	\$0.00	\$0.00
TOTAL LEGAL/CONSULTANT FEES			\$1,102.00	\$143.26	\$1,245.26

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		included	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- 2011-0140	Process: East-West Tie Line
Party: Northwatch	Name: Brennain Lloyd
Completed Years Practising/Years of relevant experience	
Counsel/Articling Student/Paralegal: <input type="checkbox"/>	23
Consultant: <input checked="" type="checkbox"/>	
CV attached: <input type="checkbox"/>	CV not required: <input checked="" type="checkbox"/>

Statement of Fees Being Claimed

	Hours	Hourly rate	Subtotal	HST	Total
Preparation	8.50	\$330.00	\$2,805.00	\$364.65	\$3,169.65
Attendance - Technical Conference			\$0.00	\$0.00	\$0.00
Attendance - Settlement Conference			\$0.00	\$0.00	\$0.00
Attendance - Oral Hearing			\$0.00	\$0.00	\$0.00
Argument	2.45	\$330.00	\$808.50	\$105.11	\$913.61
Case Management	1.00	\$170.00	\$170.00	\$22.10	\$192.10
TOTAL LEGAL/CONSULTANT FEES			\$3,783.50	\$491.86	\$4,275.36

Statement of Disbursements Being Claimed

	Net Cost	HST	Total
Photocopies		\$0.00	\$0.00
Printing		\$0.00	\$0.00
Fax		\$0.00	\$0.00
Courier		\$0.00	\$0.00
Telephone		\$0.00	\$0.00
Postage		\$0.00	\$0.00
Transcripts		\$0.00	\$0.00
Travel: Air		\$0.00	\$0.00
Travel: Car		\$0.00	\$0.00
Travel: Rail		\$0.00	\$0.00
Travel (Other):		\$0.00	\$0.00
Parking		included	\$0.00
Taxi or Airport Limo		\$0.00	\$0.00
Accommodation		\$0.00	\$0.00
Meals		\$0.00	\$0.00
Other:		\$0.00	\$0.00
TOTAL DISBURSEMENTS:	\$0.00	\$0.00	\$0.00

Client Fees Listing

ALL DATES

Date	Fee / Time	Working	Lawyer	Hours	Amount	Inv#	Billing
Entry #	Explanation						
1202	Northwatch						
5803	Re: East-West Tie EB2011-0140						
Feb 13/2012	Lawyer: 53 2.00 Hrs X 170.00	53	53	2.00	340.00		Unbilled
1225824	review Board Policy re: Framework for Transmission Project Development Plans, Board Announcements, OPA Report, OEB Minimum Technical Requirements, and OPA power point presentation; prepare intervention request letter for Northwatch;						
Feb 16/2012	Lawyer: 53 1.00 Hrs X 170.00	53	53	1.00	170.00		Unbilled
1227829	review OPA and IESO power point presentations on E-W Tie; prepare Northwatch intervention letter;						
Feb 21/2012	Lawyer: 53 0.60 Hrs X 170.00	53	53	0.60	102.00		Unbilled
1228729	review IESO Role and Background E-W Tie Designation Process; review OPA's Role and Background re E-W Tie Project; email B. Lloyd draft intervention letter;						
Mar 1/2012	Lawyer: 53 0.20 Hrs X 170.00	53	53	0.20	34.00		Unbilled
1230556	receive instructions from B. Lloyd to file intervention request letter with Board and instruct assistant to file;						
Mar 16/2012	Lawyer: 53 0.20 Hrs X 170.00	53	53	0.20	34.00		Unbilled
1235459	review Procedural Order No.1 and coordinate attendance at March 23 meeting of the parties;						
Mar 19/2012	Lawyer: 53 0.40 Hrs X 170.00	53	53	0.40	68.00		Unbilled
1235720	review email from B. Lloyd requesting copy of Minister's letter referred to in letter from AltaLink with objection to intervention request from Great Lakes Power and Hydro One; review letter from AltaLink and search for Minister's letter referred to; send B. Lloyd Minister's letter;						
Mar 20/2012	Lawyer: 53 1.80 Hrs X 170.00	53	53	1.80	306.00		Unbilled
1236458	telephone call with B. Lloyd to discuss issues and procedural aspects of proceeding in preparation for attendance at procedural conference on Friday March 23; review OPA Report on Long Term Electricity Outlook for NW and Context for E-W Tie Expansion; review Draft Issues List and cover letter re Procedural Conference and draft proposed changes to issues list in preparation for Procedural Conference;						
Mar 22/2012	Lawyer: 53 2.00 Hrs X 170.00	53	53	2.00	340.00		Unbilled
1236871	review Framework for Transmission Project Development Plans; prepare for Procedural Conference with focus on expanding draft Issues List;						
Mar 23/2012	Lawyer: 53 7.30 Hrs X 170.00	53	53	7.30	1241.00		Unbilled
1236881	prepare for and attend All Parties Procedural Meeting at Board and report summary of same to client;						
Mar 26/2012	Lawyer: 53 0.20 Hrs X 170.00	53	53	0.20	34.00		Unbilled
1238005	review draft issues list resulting from All Parties Meeting and forward to client;						
Apr 30/2012	Lawyer: 53 0.30 Hrs X 170.00	53	53	0.30	51.00		Unbilled
1248378	review Procedural Order 2, Board Staff Submission and forward same to B. Lloyd;						
May 2/2012	Lawyer: 53 0.50 Hrs X 170.00	53	53	0.50	85.00		Unbilled
1249103	review Board Staff's Submission re Phase I of Designating Transmitter proceeding in response to Issues List;						
May 3/2012	Lawyer: 53 5.40 Hrs X 170.00	53	53	5.40	918.00		Unbilled
1249262	prepare Northwatch submission re Phase I of Designating Transmitter proceeding in response to Issues List;						
May 4/2012	Lawyer: 53 3.60 Hrs X 170.00	53	53	3.60	612.00		Unbilled
1249455	prepare Northwatch submission re Phase I of Designating Transmitter proceeding in response to Issues List;						
May 7/2012	Lawyer: 53 3.20 Hrs X 170.00	53	53	3.20	544.00		Unbilled
1249619	revise Northwatch's submission on Phase I of Designating Transmitter proceeding and finalize; email B. Lloyd next steps						

Date	Fee / Time	Working	Lawyer	Hours	Amount	Inv#	Billing
Entry #	Explanation						
May 7/2012	in Phase I; Lawyer: 31 1.00 Hrs X 290.00	31	31 - JULI ABOUCHAR	1.00	290.00		Unbilled
1251116	review and comment on proposed filing for Northwatch to the OEB;						
May 11/2012	Lawyer: 53 0.90 Hrs X 170.00	53	53 - MATTHEW GARDNE	0.90	153.00		Unbilled
1252036	review intervenor submissions on Phase I process for designating transmitter to consider whether reply necessary;						
May 14/2012	Lawyer: 31 0.60 Hrs X 290.00	31	31 - JULI ABOUCHAR	0.60	174.00		Unbilled
1253082	review comments on submissions and discuss strategy for reply;						
May 14/2012	Lawyer: 53 2.20 Hrs X 170.00	53	53 - MATTHEW GARDNE	2.20	374.00		Unbilled
1253090	review intervenor submissions on Phase I process for designating transmitter to consider whether reply necessary; emails with B. Lloyd re issues requiring reply; prepare reply to various submissions of parties;						
May 15/2012	Lawyer: 53 2.40 Hrs X 170.00	53	53 - MATTHEW GARDNE	2.40	408.00		Unbilled
1253841	telephone call with B. Lloyd to consider issues to address in Reply to Submissions of Intervenor and Applicants; prepare Reply to Submissions of Intervenor and Applicants;						
May 16/2012	Lawyer: 53 0.20 Hrs X 170.00	53	53 - MATTHEW GARDNE	0.20	34.00		Unbilled
1253994	revise reply submissions and email B. Lloyd same for review;						
May 17/2012	Lawyer: 31 0.20 Hrs X 290.00	31	31 - JULI ABOUCHAR	0.20	58.00		Unbilled
1254643	review and comment on Northwatch reply;						
May 17/2012	Lawyer: 53 1.10 Hrs X 170.00	53	53 - MATTHEW GARDNE	1.10	187.00		Unbilled
1254681	finalize reply to parties' submissions;						
Jun 18/2012	Lawyer: 53 0.20 Hrs X 170.00	53	53 - MATTHEW GARDNE	0.20	34.00		Unbilled
1264082	review Partial Decision and Order re Issue 19;						
Jun 29/2012	Lawyer: 53 0.70 Hrs X 170.00	53	53 - MATTHEW GARDNE	0.70	119.00		Unbilled
1267944	receipt and review of HONI's extensive documents produced in response to Board's Partial Decision 1;						
Jul 4/2012	Lawyer: 53 1.20 Hrs X 170.00	53	53 - MATTHEW GARDNE	1.20	204.00		Unbilled
1267996	continue review of HONI's extensive documents produced in response to Board's Partial Decision 1;						
Jul 5/2012	Lawyer: 53 0.80 Hrs X 170.00	53	53 - MATTHEW GARDNE	0.80	136.00		Unbilled
1268111	review of GLPT's documents produced in response to Board's Partial Decision 1; prepare summary of highlights from review of Hydro One and GLPT documents and email B. Lloyd same with request for instructions to or not to file Declarations and Undertakings to obtain confidential information from Hydro One and/or GLPT; receipt of instructions not to file Declarations and Undertakings and reply to B. Lloyd;						
Aug 3/2012	Lawyer: 31 1.00 Hrs X 290.00	31	31 - JULI ABOUCHAR	1.00	290.00		Unbilled
1275810	review and revise letter to the OEB;						
Aug 7/2012	Lawyer: 31 1.00 Hrs X 290.00	31	31 - JULI ABOUCHAR	1.00	290.00		Unbilled
1276049	review and comment on letters to the OEB and to Northwatch;						
Aug 7/2012	Lawyer: 53 1.80 Hrs X 170.00	53	53 - MATTHEW GARDNE	1.80	306.00		Unbilled
1276069	review Board's Decision re Phase 1; prepare Northwatch cost claim cover letter;						

*** Summary by Working Lawyer ***

Working Lawyer	Hours	Fees
Unbilled		
31 - JULI ABOUCHAR	3.80	
53 - MATTHEW GARDNE	40.20	
Firm Total	44.00	

Date	Paid To	Source	Matter	Client Name	Ref#	G/L	Acct
Entry#	Explanation						
Feb 13/2012		CER	5803	Northwatch	5170	-	RECOVERY
1227366	Photocopies						
Feb 13/2012		CER	5803	Northwatch	5170	-	RECOVERY
1227367	Photocopies						
Feb 13/2012		CER	5803	Northwatch	5170	-	RECOVERY
1227368	Photocopies						
Feb 13/2012		CER	5803	Northwatch	5170	-	RECOVERY
1227369	Photocopies						
	Total for Feb 13/2012 :	10.75					
Feb 16/2012		CER	5803	Northwatch	5170	-	RECOVERY
1228356	Photocopies						
Feb 16/2012		CER	5803	Northwatch	5170	-	RECOVERY
1228369	Photocopies						
Feb 16/2012		CER	5803	Northwatch	5170	-	RECOVERY
1228370	Photocopies						
	Total for Feb 16/2012 :	6.25					
Mar 1/2012		CER	5803	Northwatch	5170	-	RECOVERY
1232996	Photocopies						
	Total for Mar 1/2012 :	2.50					
Mar 5/2012		CER	5803	Northwatch	5170	-	RECOVERY
1233385	Photocopies						
Mar 5/2012		CER	5803	Northwatch	5170	-	RECOVERY
1233386	Photocopies						
	Total for Mar 5/2012 :	0.50					
Mar 6/2012		CER	5803	Northwatch	5170	-	RECOVERY
1233484	Photocopies						
Mar 6/2012		CER	5803	Northwatch	5170	-	RECOVERY
1233487	Photocopies						
Mar 6/2012		CER	5803	Northwatch	5170	-	RECOVERY
1233493	Photocopies						
	Total for Mar 6/2012 :	1.25					
Mar 20/2012		CER	5803	Northwatch	5170	-	RECOVERY
1237077	Photocopies						
Mar 20/2012		CER	5803	Northwatch	5170	-	RECOVERY
1237079	Photocopies						
Mar 20/2012		CER	5803	Northwatch	5170	-	RECOVERY
1237082	Photocopies						
Mar 20/2012		CER	5803	Northwatch	5170	-	RECOVERY
1237085	Photocopies						
Mar 20/2012		CER	5803	Northwatch	5125	-	TELEPHONE
1237140	Long Distance Calls						
	Total for Mar 20/2012 :	11.72					
Mar 22/2012		CER	5803	Northwatch	5170	-	RECOVERY
1237427	Photocopies						
Mar 22/2012		CER	5803	Northwatch	5170	-	RECOVERY
1237589	Photocopies						
	Total for Mar 22/2012 :	7.00					
Apr 18/2012		CER	5803	Northwatch	5170	-	RECOVERY
1245904	Photocopies						
	Total for Apr 18/2012 :	10.00					
Apr 30/2012		CER	5803	Northwatch	5170	-	RECOVERY
1248467	Photocopies						
Apr 30/2012		CER	5803	Northwatch	5170	-	RECOVERY
1248514	Photocopies						
Apr 30/2012		CER	5803	Northwatch	5170	-	RECOVERY
1248627	Photocopies						
Apr 30/2012		CER	5803	Northwatch	5170	-	RECOVERY
1248630	Photocopies						
	Total for Apr 30/2012 :	43.56					
May 1/2012		CER	5803	Northwatch	5170	-	RECOVERY
1249780	Photocopies						
May 1/2012		CER	5803	Northwatch	5170	-	RECOVERY
1249781	Photocopies						
	Total for May 1/2012 :	15.50					
May 2/2012		CER	5803	Northwatch	5170	-	RECOVERY
1249971	Photocopies						
	Total for May 2/2012 :	0.75					
May 3/2012		CER	5803	Northwatch	5170	-	RECOVERY
1250293	Photocopies						
	Total for May 3/2012 :	2.50					
May 7/2012		CER	5803	Northwatch	5170	-	RECOVERY
1250693	Photocopies						
May 7/2012		CER	5803	Northwatch	5170	-	RECOVERY
1250695	Photocopies						
May 7/2012		CER	5803	Northwatch	5170	-	RECOVERY
1250696	Photocopies						
May 7/2012		CER	5803	Northwatch	5170	-	RECOVERY
1250844	Photocopies						
May 7/2012		CER	5803	Northwatch	5170	-	RECOVERY
1250882	Photocopies						
May 7/2012		CER	5803	Northwatch	5170	-	RECOVERY
1250889	Photocopies						
	Total for May 7/2012 :	23.25					
May 8/2012		CER	5803	Northwatch	5170	-	RECOVERY

Date	Paid To	Source	Matter	Client Name	Ref#	G/L Acct
Entry#	Explanation					
May 1252084	Photocopies					
May 8/2012 1252085	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
	Total for May 8/2012 :	93.50				
May 11/2012 1252703	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
May 11/2012 1252704	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
May 11/2012 1252718	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
	Total for May 11/2012 :	12.50				
May 14/2012 1254105	Long Distance Calls	CER	5803	Northwatch	5125	- TELEPHONE
	Total for May 14/2012 :	3.36				
May 15/2012 1254379	Long Distance Calls	CER	5803	Northwatch	5125	- TELEPHONE
	Total for May 15/2012 :	10.80				
May 17/2012 1255130	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
	Total for May 17/2012 :	1.25				
May 22/2012 1255473	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
May 22/2012 1255474	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
May 22/2012 1255478	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
	Total for May 22/2012 :	6.25				
Jun 20/2012 1265352	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
	Total for Jun 20/2012 :	0.25				
Jul 6/2012 1269250	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
	Total for Jul 6/2012 :	0.25				
Aug 3/2012 1276763	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
Aug 3/2012 1276764	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
Aug 3/2012 1276774	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
Aug 3/2012 1276775	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
	Total for Aug 3/2012 :	2.00				
Aug 7/2012 1276917	Photocopies	CER	5803	Northwatch	5170	- RECOVERY
	Total for Aug 7/2012 :	10.75				

*** Client Costs Journal - G/L Account Summary ***

G/L Account	Debit	Credit
1210 - CLIENT DISB.-RECOV.		
5125 - TELEPHONE		23.88
5170 - RECOVERY - LASER CO		235.75

Client Consultation Review of Evidence Counsel Direction Experts/Evidence Interrogatories Administration
Preparation Argument Hearing Attendance Case Management.


EB-2011-0140

2012
Case Management Time Docket
Brennain Lloyd

Date	Time Spent (hr)	Task	Detail	Time Total
5/7/2012	2:45	R	Review of other parties submissions	2.75
5/10/2012	2:00	R	Review of other parties submissions	4.75
5/14/2012	3:30	R	Review of other parties submissions, summary notes to counsel	8.25
5/15/2012	1:00	D	Tele-meeting with counsel	9.25
5/17/2012	1:30	R/P	Review and edit of reply submissions for Phase I	10.75
7/5/2012	1:15	R/D	Review and comment on issue of access to redacted documents	12.00

Submitted by: Brennain Lloyd

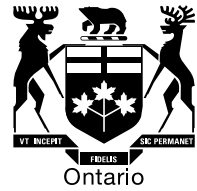
Date Submitted: August 9th, 2012

Signature: 

This is Exhibit "J" referred to in the Affidavit of
Brennain Lloyd, sworn November 7, 2012

A handwritten signature in blue ink, appearing to read "Matt F. Sullivan", is written over a horizontal line.

Commissioner for Taking Affidavits (or as may be)



EB-2011-0140

IN THE MATTER OF sections 70 and 78 of the
Ontario Energy Board Act 1998, S.O.1998, c.15,
(Schedule B);

AND IN THE MATTER OF a Board-initiated
proceeding to designate an electricity transmitter to
undertake development work for a new electricity
transmission line between Northeast and Northwest
Ontario: the East-West Tie Line.

BEFORE: Cynthia Chaplin
Presiding Member and Vice-Chair

Cathy Spoel
Member

**PHASE 1 DECISION AND ORDER
COST AWARDS**

September 17, 2012

Background

On February 2, 2012, the Ontario Energy Board issued notice that it was initiating a proceeding to designate an electricity transmitter to undertake development work for a new electricity transmission line between Northeast and Northwest Ontario:

the East-West Tie line. The Board assigned File No. EB-2011-0140 to the designation proceeding.

On March 30, 2012, the Board issued its Decision on Intervention and Cost Award Eligibility. Procedural Order No. 2 issued on April 16, 2012 also dealt with the issues of interventions and cost award eligibility. As a result of these orders, certain parties are eligible to apply for cost awards in both phases of this designation proceeding and certain other parties are eligible to apply for limited cost awards relating to their attendance at an all party conference in Phase 1 of this designation proceeding.

In total, nine parties have been determined to be eligible to apply for cost awards in both phases of this designation proceeding. They are:

- the coalition representing the City of Thunder Bay, Northwestern Ontario Associated Chambers of Commerce and Northwestern Ontario Municipal Association (“City of Thunder Bay Coalition”);
- the coalition representing the Municipality of Wawa and the Algoma Coalition (“Algoma Coalition”);
- Consumers Council of Canada (“CCC”);
- Métis Nation of Ontario (“MNO”);
- National Chief's Office on Behalf of the Assembly of First Nations (“NCO”);
- Nishnawbe-Aski Nation (“NAN”);
- Northwatch;
- Ojibways of Pic River First Nation (“PRFN”); and
- School Energy Coalition (“SEC”).

Each of the following parties has been granted eligibility for an award of costs up to a maximum of 12 hours if it attended the all party conference in Phase 1 of this proceeding on March 23, 2012:

- Association of Major Power Consumers in Ontario (“AMPCO”);
- Building Owners and Managers Association Toronto (“BOMA”);
- Canadian Manufacturers and Exporters (“CME”); and

- Energy Probe Research Foundation (“Energy Probe”).

The cost awards to the eligible parties and the Board’s own costs will be recovered from licensed transmitters whose revenue requirements are recovered through the Ontario Uniform Transmission Rates, namely:

- Canadian Niagara Power Inc. (“CNPI”);
- Five Nations Energy Inc. (“FNEI”);
- Great Lakes Power Transmission LP (“GLPT”); and
- Hydro One Networks Inc. (“HONI”).

The costs will be apportioned between these licensed transmitters based on their respective transmission revenues as contained in the Uniform Transmission Rates and Revenue Disbursement Allocators attached as Exhibit 4.0 to rate order EB-2011-0268 dated December 20, 2011.

On July 12, 2012, the Board issued its Phase 1 Decision and Order, in which it set out the process for intervenors to file their cost claims and to respond to any objections raised by CNPI, FNEI, GLPT and HONI.

The Board received cost claims from all of the eligible participants listed above, except CME.

Board Findings on the Cost Claims of the Eligible Participants

The Board has reviewed the cost claims filed to ensure that they are compliant with the Board’s *Practice Direction on Cost Awards*, and reviewed the objections from HONI and the replies filed in answer to those objections.

The Board finds that the cost claims filed by the Algoma Coalition, CCC, MNO, NAN, NCO, SEC, AMPCO, BOMA and Energy Probe are within the approved limits set by the Board in its Decision on Intervention and Cost Award Eligibility.

City of Thunder Bay Coalition

The Board finds that it will reduce the cost claim made by the City of Thunder Bay Coalition. The costs claimed by the City of Thunder Bay Coalition amount to \$32,806.57, inclusive of \$1,533.82 in disbursements, and are based on 132.2 hours in aggregate.

In reviewing this claim the Board has taken the following factors into account. First, the Board finds that the cost claim includes disbursements that do not comply with the Board's *Practice Direction on Cost Awards*, as no receipts were provided for courier, telephone and postage charges. Second, the Board finds that the City of Thunder Bay Coalition demonstrated relatively limited participation in Phase 1 of the proceeding. While the Board appreciates the efforts of the Coalition to coordinate the participation of its varied and geographically distant membership, the Board finds that the Coalition's contributions to the proceeding were not commensurate with its cost claim. The Coalition's brief written submission addressed only a few issues and, although given the opportunity, the Coalition did not file a reply submission.

For these reasons, the Board finds that cost claim submitted by the City of Thunder Bay Coalition is disproportionate to its participation in Phase 1 of the proceeding. Accordingly, the Board will reduce the City of Thunder Bay Coalition's claim by \$5,000.00 and finds that the Coalition is awarded \$27,806.57.

Northwatch

The Board finds that Northwatch's cost claim includes disbursements that do not comply with the Board's *Practice Direction on Cost Awards* as no receipts were provided for telephone charges. The Board has accordingly reduced Northwatch's claim by \$26.98 and finds that Northwatch is awarded \$13,509.44.

PRFN

For several reasons, the Board will reduce the cost claim made by PRFN. PRFN's claimed costs are \$68,796.00, inclusive of \$3,126.00 in disbursements. The claim is based on 258.6 hours in aggregate. PRFN employed the services of four lawyers, three of whom are senior counsel.

The cost claim is reduced, in part, because it improperly includes disbursements that do not comply with the Board's *Practice Direction on Cost Awards*, as no receipts were provided for courier, telephone, postage and Westlaw service charges.

The cost claim is further reduced because it improperly includes disbursements for two employees of PRFN, Mr. Daryl Desmoulin and Mr. Joel Krupa. In accordance with section 6.05 of the *Practice Direction on Cost Awards*, a party will not be compensated for time spent by its employees or officers in preparing for or attending at Board processes.

PRFN's claim is more than double the next highest claim, more than triple the average amount of the claims of those participants focusing on similar issues in this proceeding (i.e. MNO, NCO, and NAN), and more than four times the average amount of all of the other eligible participants' cost claims. As well, PRFN's total number of hours claimed is almost twice that of the next highest and more than four times the average of the other eligible participants' total hours. Upon review of PRFN's dockets, it appears to the Board that there was unnecessary repetition of work, and an excessive number of hours spent, with several lawyers acting on behalf of PRFN on the same issues. While it is appropriate for senior lawyers to delegate tasks to more junior ones, this should result in fewer hours being spent by the senior lawyer. That was not the result in this case. The Board finds that the costs claimed by PRFN to be excessive and disproportionate to the value of its participation in Phase 1 of the proceeding.

The Board will reduce PRFN's claim by fifty percent and finds that PRFN is awarded \$34,398.00. The Board notes that this cost award is still substantially higher than any other award granted for Phase 1 of the designation proceeding.

Amounts Payable by the Licensed Transmitters

The amount payable by the licensed transmitters in relation to the costs awarded to each eligible participant is listed in Appendix A to this Decision and Order.

Process for Paying Cost Awards

The Board will use the process set out in section 12 of its *Practice Direction on Cost Awards* to implement the payment of the cost awards. Therefore, the Board will act as a clearing house for the payments of the cost award relating to this consultation process. Invoices will be issued to each transmitter at the same time as are invoices for cost assessments made under section 26 of the Act. The practice of the Board is to issue to each transmitter one invoice that covers all cost awards payable by the eligible participant for the relevant period. As a result, the invoice may cover cost awards payable in relation to a number of matters, including this one.

THE BOARD THEREFORE ORDERS THAT:

1. The amounts to be paid by each transmitter in relation to the costs awarded to each eligible participant are as set out in Appendix A to this Decision and Order.
2. The individual transmitters listed in Appendix A to this Decision and Order shall pay the costs awarded to each of the eligible participants as set out in Appendix A.
3. The individual transmitters listed in Appendix A to this Decision and Order shall pay the Board's costs of, and incidental to, this proceeding.
4. Payment of cost awards and of the Board's costs referred to in paragraphs 2 and 3 shall be made to the Ontario Energy Board in accordance with the invoice issued to the individual transmitter, and shall be due at the same time as cost assessments under section 26 of the Act are due.

DATED at Toronto, September 17, 2012.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary

Appendix A

**To the Board's Decision and Order on Cost Awards
Dated September 17, 2012**

EB-2011-0140

Electricity Transmitters	Algoma Coalition	AMPCO	BOMA	City of Thunder Bay	CCC	EP	MNO	NCO	NAN	Northwatch	PRFN	SEC	Total
CNPI	35.90	10.86	15.83	98.15	58.31	11.34	78.29	79.56	86.59	47.68	121.42	79.50	\$ 723.43
FNEI	48.25	14.60	21.28	131.93	78.38	15.24	105.23	106.95	116.39	64.10	163.20	106.87	\$ 972.42
GLPT	251.34	76.03	110.87	687.21	408.26	79.41	548.16	557.09	606.26	333.87	850.11	556.66	\$ 5,065.27
HONI	9,834.24	2,974.95	4,338.12	26,889.28	15,974.52	3,107.01	21,448.53	21,797.64	23,721.93	13,063.79	33,263.27	21,780.97	\$ 198,194.25
	\$10,169.73	\$3,076.44	\$4,486.10	\$27,806.57	\$16,519.47	\$3,213.00	\$22,180.21	\$22,541.24	\$24,531.17	\$13,509.44	\$34,398.00	\$22,524.00	\$204,955.37

EB-2010-0377
EB-2010-0378
EB-2010-0379
EB-2011-0004
EB-2011-0043

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board*
Act, 1998, S.O. 1998, c.15, (Schedule B);

AND IN THE MATTER OF cost awards in relation to a
Consultation Process to Develop a Renewed Regulatory
Framework.

AFFIDAVIT OF BRENNAIN LLOYD

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Lawyers for Intervenor, Northwatch

EB-2010-0377
EB-2010-0378
EB-2010-0379
EB-2011-0004
EB-2011-0043

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15, (Schedule B);

AND IN THE MATTER OF cost awards in relation to a Consultation Process to Develop a Renewed Regulatory Framework.

**MOTION RECORD
OF NORTHWATCH**

(Motion to Review Decision on Cost Awards
issued October 18, 2012)

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